DOCUMENT RESUME

ED 119 788	JC 760 181

AUTHOR Martorana, S. V.; McGuire, W. Gary

TITLE State Legislation Relating to Community and Junior Colleges, 1973-75.

INSTITUTION Pennsylvania State Univ., University Park. Center for the Study of Higher Education.

SPONS AGENCY National Council of State Directors of Community-Junior Colleges.

PUB DATE 15 Feb 76

NOTE 142p.

EDRS PRICE MF-$0.83 HC-$7.35 Plus Postage

DESCRIPTORS Community Colleges; Court Litigation; *Educational Legislation; Educational Trends; *Junior Colleges; Master Plans; *National Surveys; Post Secondary Education; Public Policy; *State Legislation; *Statewide Planning

ABSTRACT

In spring 1975, the National Council of State Directors of Community and Junior Colleges polled all state directors to request information on actions taken by the state legislatures from 1973-75 which bear meaningfully on community/junior college operations and programs. Information used to compile this report includes: relevant laws enacted during the 1973-75 biennium; relevant sections of the appropriations acts; state master plans, commisstion reports, or documents that provide guidelines for operation or policy direction; relevant court decisions; and relevant attorney general rulings. In addition, state directors were asked to identify what, in their judgments, were the most significant actions taken by the legislature, courts, and attorney general about community and junior colleges in the last five years, and what are the strongest and weakest features of the legal basis for community and junior colleges in their states. This report is based on the responses of 45 state directors, including five complete responses and 40 partial ones. In addition to summarizing information about each state, this document identifies national trends. Annotations of the state legislation, an index to the legislation, and a copy of the survey letter are appended. (NHM)

****
* Documents acquired by ERIC include many informal unpublished materials not available from other sources. ERIC makes every effort to obtain the best copy available. Nevertheless, items of marginal reproducibility are often encountered and this affects the quality of the microfiche and hardcopy reproductions ERIC makes available via the ERIC Document Reproduction Service (EDRS). EDRS is not responsible for the quality of the original document. Reproductions supplied by EDRS are the best that can be made from the original. *
****

ED119788

U S DEPARTMENT OF HEALTH.
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

STATE LEGISLATION RELATING TO COMMUNITY AND JUNIOR COLLEGES, 1973-75

Prepared in Cooperation with the
National Council of State Directors of
Community and Junior Colleges

S. V. Martorana and W. Gary McGuire
Center for the Study of Higher Education
The Pennsylvania State University
February 15, 1976

JC 760 151

TABLE OF CONTENTS

Foreword i

Prefatory Note and Acknowledgments ii

I Introduction 1

II Summary of State Legislation Related to Postsecondary Education 6

III Significant Legal Action Affecting Community and Junior Colleges 40

IV Strengths and Weaknesses of the Legal Basis of Community and Junior Colleges. 60

V Implementation of Community College Advisory Councils to "1202" Postsecondary Education Planning Commissions. 67

VI Summary and Conclusion 70

References Cited 79

Appendix A - Digest of State Legislation Relating to Higher Education 80

Appendix B - Index to Legislation. 132

Appendix C - Survey Letter 135

FOREWORD

One of the continuing lines of scholarly inquiry the Center for the Study of Higher Education is pursuing is about the framework of general public policy within which the nation's postsecondary educational institutions have to function. Because of this general interest and because of the strong belief in the Center that the community and junior colleges of the nation represent an essential as well as large component of postsecondary education, the Center is pleased to have accomplished the study herein reported. It is the first of a series expected to emanate from a cooperative agreement involving the Center and the National Council of State Directors of Community and Junior Colleges.

This report tells in considerable detail the actions taken by state legislatures that bear meaningfully on community and junior colleges. Beyond this, it presents the views of the state officials who hold key responsibility for these institutions expressed toward several questions closely related to official legislative policy. The report is organized and presented to separate sharply the presentation of the factual material gathered from the field (and validated by a special review circulation of the final draft) from the interpretative discussion of these findings. In this way the document can serve both as a reference for persons who wish to see the legislation in the original and as a scholarly work that gives to the field the benefit of the experience and specialized study its authors have in this line of research and service. The annotations of laws in the concluding section can help interested persons request more detail on any item from the state involved, and such requests should be so addressed. Comments or observations about the work in general, however, should be addressed to the senior author, Dr. S. V. Martorana, Research Associate, in the Center who in this work is picking up a line of research he started nearly thirty years ago.

G. Lester Anderson

PREFATORY NOTE AND ACKNOWLEDGMENTS

The co-authors of this report wish to emphasize that, while many agencies and individuals participated in its production, the decisions reflected as to mode of analysis and interpretations made of state legislative activity concerning community college education are theirs. In essence, a two-step presentation is followed: the first is a factual, straightforward reporting of what was found and is accomplished in the summary tables and the digests of the laws, and the second is a relating of this body of factual data to the general status and future directions of community and junior colleges. This is done in several places in the first discussion section and in most of the last section of the text of the report. In this last section, Mr. Don Hambrick's work on a paper using the project file as a base, provided some of the final text.

The co-authors wish also to thank the many persons and agencies who helped to complete it. There are too many to name specifically, even in a listing; yet the essential character of what wide base of assistance must be recognized and our appreciation recorded. Chief among the many involved were the members of the National Council of State Directors of Community/Junior Colleges whose active interest and some fiscal support sparked the project initially and assured its completion. We are grateful to them and to their staff members whose attention to our recurrent requests for details on legislative action in their states, we know, added to their workloads. We appreciate also the steady encouragement and support given to the project by the Center for the Study of Higher Education, The Pennsylvania State University. Both the general assistance provided and that of the secretarial, editorial, and research assistant staff, specifically, were critical to the production of this report.

S. V. Martorana
W. Gary McGuire

INTRODUCTION

On several occasions in recent years the National Council of State Directors of Community and Junior Colleges expressed growing interest in seeing a reactivation of a regular, periodic review and analysis of state legislation bearing on these institutions. Not since 1966, when the last of the series of annual reports on state legislation relating to higher education by Martorana and others[1] appeared, has such a compilation and analytical commentary been available to community and junior college leaders in the several states. Formal actions concerning the Council's interest appeared in recommendations of its Committees on Research and Legislation in 1974 and at the 1975 annual meeting in Seattle. Upon recommendations of the Executive Committee at its March meeting in Columbus, the Council formally endorsed a plan to cooperate in and to help support an annual review and report on state legislation in which the Center for the Study of Higher Education, The Pennsylvania State University, was to serve as a research and development partner to the Council.

Work on this report started by circulating to all state directors on the 1974-75 mailing list a letter requesting information on actions of the state legislatures in legislative sessions from 1973 to the current session and several other related questions. The related questions sought information which would give a broader picture of the general framework of public policy in a given state against which specific legislative action and trends in such actions may be examined. That framework is shown by state responses to federal laws and regulations; it is also reflected in state attorney general rulings and by court actions. For these reasons questions along each of these lines were raised.

A copy of the initial survey letter, dated March 31, 1975 is attached as Appendix C. A follow-up letter was mailed May 14, 1975 to those not replying earlier. All state directors were afforded the opportunity to review and critique a draft report between November 6, 1975 when the draft final report was presented at the annual fall meeting of the National Council and December 15, 1975, the cut-off date for the reporting period covered in this document.

This report summarizes some of the information state directors provided by personal reply and by sending certain documents and information related to legislation and policy affecting community and junior colleges in their states. The report is based upon the responses of forty-five state directors received as of October 10, 1975 including five complete responses and forty partial ones, and as amended by the field review of the draft final report that took place between November 5 and December 15, 1975. Two states (Indiana and South Dakota) responded to the inquiry in general terms but did not provide any of the specific data requested. Table 1 indicates the name of each state responding and the kind of information received from each one. Notice that thirty-three states and Puerto Rico provided specific data on legislation; of these thirty-three, however, three (Kentucky, Maryland, Ohio) provided only general statements and are, therefore, not included among the annotations shown in Appendix A of this report or in the more detailed description of the data analyzed which is shown in

Table 2. This report is based essentially on the information about legislative acts and proposals with some attention to State Master Plans. A separate report of the Attorney General rulings and court decisions is planned to follow this one.

Table 1

Sources of Information on Legislative Actions

State	Text Ident. No.	Legislation	Master Plans	Court Decisions	Attorney General Rulings	Respondents Opinion
1. Alabama	(1)	X				
2. Arizona	(3)	X				X
3. Arkansas	(4)	X				X
4. California	(5)	X				X
5. Colorado	(6)	X	X	X	X	X
6. Connecticut	(7)	X	X		X	X
7 Delaware	(8)		X			X
8. Florida	(9)	X	X	X	X	X
9. Georgia	(10)					X
10. Hawaii	(11)	X		X		X
11. Illinois	(12)	X	X			X
12. Indiana*	(14)					
13. Iowa	(15)	X				
14. Kansas	(16)	X	X		X	X
15. Kentucky	(17)	X				X
16. Maine	(19)					X
17. Maryland	(20)	X	X		X	X
18. Massachusetts	(21)			X		X
19. Michigan	(22)	X				

State	Text Ident. No.	Legis- lation	Master Plans	Court Decisions	Attorney General Rulings	Respondents Opinion
20. Mississippi	(24)	X		X	X	X
21. Missouri	(25)	X	X			X
22. Nebraska	(21)		X			X
23. Nevada	(28)	X	X		X	X
24. New Jersey	(30)	X	X	X		X
25. New Mexico	(31)			X		X
26. New York	(32)	X	X	X	X	X
27. North Carolina	(33)	X	X	X	X	X
28. North Dakota	(34)	X				X
29. Ohio	(35)	X	X			X
30. Oklahoma	(36)	X		X		X
31. Oregon	(37)	X	X			X
32. Pennsylvania	(38)	X	X			X
33. Rhode Island	(39)		X			
34. South Carolina	(40)	X				
35. South Dakota*	(41)					
36. Tennessee	(42)	X	X			X
37. Texas	(43)	X	X	X	X	X
38. Utah	(44)	X		X		X
39. Virginia	(46)	X				X
40. Washington	(47)	X	X	X	X	X
41. West Virginia	(48)					X
42. Wisconsin	(49)	X	X		X	X
43. Wyoming	(50)	X	X		X	X
44. Canal Zone	(54)					X
45. Puerto Rico	(52)	X		X		X

*Replied to inquiry in gerneral terms but provided no specific data.

Following this introductory section, the report is divided into five additional sections and three appendices:

Section II	Summary of State Legislation Related to Postsecondary Education.
Section III	Significant Legal Action Affecting Community and Junior Colleges.
Section IV	Strengths and Weaknesses of the Legal Basis of Community and Junior Colleges.
Section V	Implementations of Community College Advisory Councils to "1202" Postsecondary Education Planning Commissions.
Section VI	Summary and Conclusions.
Appendix A	Digests of State Legislation Relating to Postsecondary Education.
Appendix B	Index to Legislation.
Appendix C	Survey Letter.

II

SUMMARY OF STATE LEGISLATION RELATED TO POSTSECONDARY EDUCATION

A general view of legislative activity related to postsecondary education for the states as a group and as individual states is presented in Table 2. The data from this table summarize only the actual acts and bills received from respondents. They do not include responses to other questions raised in the survey letter, for example, concerning respondents' reports of significant legislative action. Presentation, analysis, and comment on these questions comprise other sections of this report.

The scope of legislative activity of state legislatures is presented in Table 2 by major areas divided into subject categories. This method of reporting these data is essentially the same as that used in a series of state legislation surveys published annually by the U.S. Office of Education from 1957 through 1964.[2] In this report several additional categories have been added, some have been subdivided, and all of the categories have been divided by type of postsecondary education institution affected by the legislation.

This report has some limitations. Reports on legislative activity were received differently from different states: some reported for the 1973, 1974, and 1975 sessions, others for only some of the legislative sessions held between 1973 and 1975, the period covered by this report. The figures in Table 2, therefore, do not represent total legislative action occurring during the past biennium, only that reported in response

Table 2
Number of Legislative Proposals Since 1973 Reported from 30 States and Puerto Rico, By Major Topics of Concern and Types of Institutions Affected 1/

STATE	Finance						State Level Concerns								Institutional Concerns					Personnel						Students					Academic Concerns				Total Legislative Proposals
	Appropriations for Operation		Capital Funds		Financial Procedures		State Level Administration		Statewide Coordination		Surveys	State Aid		Basic Legislation	Institutional Administration		Trustees	Institutional Changes		Personnel Benefits		Personnel Rights		Collective Bargaining		Rights and Responsibilities	Student Aid		Tuition		Curriculum	Accreditation Certification			
	Institutional Classification 2/																																		
	C	D	C	D	C	D	C	D	C	D	C	B	D	D	C	D	D	C	D	C	D	C	D	C	D	C	A	B	C	D	C	C	D	B	
Alabama		1																	1																2
Arizona		1		1		1				2						1				1			1		1		1		2						12
Arkansas		2			1	2								1				1	1																8
California				1		2	2			2						7										1	1			2					18
Colorado	1	1	2	3	3	1		2	2	1			1	1		2	1			1		1							1		3	1			28
Connecticut		2		3	2	1	4		7	1	2			1	9				1	2				1		2	1	1	5			3			48
Florida 3/						4	3		1						3					2	1			1					3						18
Hawaii		1				2				1	1				1				1						1		1		1		3				13
Illinois		3		3		2												1	1								1								11
Iowa 3/	4		1		1	7	1	3	3	2						5	5		2			2					2			1	1	2			43
Kansas 3/						2				1					1	1	1				1		1		1					1		1			11
Michigan		2	1		2	1	2					1				1				1				1		2	2		2		1				19
Mississippi					1					2					2				1								1		1						8
Missouri		3				4	1			1			2			1	1			1	1			1	1					1					18
Nevada		2			1						1									2		1										1		1	9
New Jersey					1																														1
New York		1		1				1									1							1						1					6
North Carolina		1				1		1																											3
North Dakota		1		1		1					1		1			2																			7
Oklahoma					2		9		2		1						1	1	3	1				3					1						24
Oregon		1																																	1
Pennsylvania 3/		1	3			3							4		1		2																		14
South Carolina 4/	1		1													1		2											1	1					7
Tennessee		2	1		1				1							2			3							2			1	1	1				15
Texas		3							1	2				2				2									1		1	1	2				15
Utah		1																	1																2
Virginia		1					1		1						1																				4
Washington		1		1																	1				1										4
Wisconsin		1				5	1			2																							1		10
Wyoming		1				4										1				2										1					9
Puerto Rico		2			1			2										1																	6
TOTALS Legislation	6	35	9	14	16	43	24	9	18	17	6	1	8	5	18	24	12	8	15	13	4	4	2	8	5	7	11	1	19	10	11	8	1	2	394
TOTALS States	3	23	6	8	11	17	9	5	8	11	5	1	4	4	7	11	7	6	10	9	4	3	1	6	5	4	9	1	11	9	6	5	1	2	

1/ Includes both proposed and enacted legislation but does not include bills which have failed; the total of 394 items includes 334 enactments and 60 bills received from the states identified in footnotes 3 and 4 below. All other states reported only enactments either initially or by amendments to reports as legislative sessions.

2/ Institutional classification code: All PSE, A; Private PSE only, B; all Public PSE, C; Community/Junior Colleges Only, D.

3/ Legislative proposals in these states are only in bill form; no completed enactments were reported and no later reports on these bills were received.

4/ South Carolina reported one bill under consideration in 1975 and six enactments for 1974.

to the inquiries for data. The table and the data it summarizes, therefore, should be understood as an indication of trends in legislative activity when related to the earlier reports cited above, and as a basis for seeing a general nationwide picture as well as interstate comparisons believed to be significant even if not based on a total coverage of legislative activity. Attention is called, finally, to the fact that the summary in Table 2, while heavily weighted toward successful enactments by the legislatures, includes some proposals which at the time of this report were still in bill form; of the 394 items on which Table 2 is based, 60 were still in proposal stage at this writing.

General Observations

Among the several states and territories, New Jersey reported the lowest extreme of legislative activity during the 1973-1975 legislative sessions, reporting action in only one area. At the other extreme is Connecticut, where 48 pieces of legislation are included in 13 of the 19 areas in the table. Besides permitting such interstate observations, Table 2 also shows the extent of legislative activity by major area. The area receiving the greatest attention was Financial Procedures for which a total of 59 pieces of legislation were reported to have been considered. The areas receiving the least attention were State Aid to private colleges, Student Aid to students enrolled in private colleges, and Accreditation and Certification related to community college programs.

A brief discussion of the results of the analysis of reported legislative activity in each of the 19 areas summarized in Table 2 follows. References made to specific state legislative proposals are related to the appropriate item in Appendix A by a double-number in parentheses following the reference--the first number is the state and the second is the legislative proposal listed in the appendix.

Finance

This first category of legislative activity presented in Table 2 (Finance) includes a total of 124 pieces of legislation received from the 31 jurisdictions listed on the table. The category includes three subdivisions: 1) appropriations for operating expenses, 2) capital funds and 3) financial procedures.

Appropriation for Operations

As has been true in past years, the general trend of appropriations for community/junior colleges continues to be upward in absolute amounts. Data over a three year period have been accumulated for nine states. Of the nine states listed in Table 3, increases in absolute amounts provided for current operations are shown in all but Missouri and Connecticut.

Table 3

General Appropriations for Community/Junior Colleges for Current Operations and FTE Enrollment for Nine States, with Percentage Change: 1973-74, 1974-75, and 1975-76

	1973 - 1974		1974 - 1975				1975 - 1976			
State	Appropriation	FTE	Appropriation	% Change	FTE	% Change	Appropriation	% Change	FTE	% Change
AZ	19,751,715	34,915	25,098,415	(32)	44,808	(29)	29,787,610	(6.7)	18,134	(7)
AR	2,957,486	2,601	4,835,801	(66)	3,945	(50)	7,190,603	(50)	5,457	(39)
CT	17,583,000	15,720	21,085,000	(20)	18,306	(17)	20,406,687	(-3)	18,076	(-1)
MS	13,800,000	25,040	15,502,000	(13)	26,700	(7)	20,235,400	(30)	31,400	(17.6)
TN	13,059,000	10,261	14,832,500	(14)	12,252	(20)	15,793,000	(7)	16,400	(34)
MO	15,386,000	30,879	15,085,200	(-2)	30,334	(-2)	18,565,729	(23)	Not available	
NV	3,207,983	3,064	4,371,437	(36)	4,614	(51)	5,456,681	(25)	5,191	(13)
TX	94,712,526	108,266	104,010,064	(9)	120,265	(11)	144,043,178	(39)	Not available	
WI	33,939,600	44,418	40,827,900	(13)	50,100	(20)	30,308,900	(26)	54,900	(10)

An examination of percentages of increases of 1975-76 appropriations over those provided in 1974-75 shows a less definite upward trend. Appropriations in five states show a decreasing rate of increase. The average percentage increase for 1974-75 was 22.3 percent, while for 1975-76 it decreased to 20.0 percent.

As has also been true for several years, FTE enrollments in community/junior colleges have increased in absolute figures. As shown below, enrollments have increased in five of the seven states for which complete enrollment figures are available for each of the years 1974-75 and 1975-76. Missouri and Connecticut are the only two states which reported FTE enrollment decreases.

However, when percentage increases in enrollment are examined, an opposite trend is discovered. In five of the seven states, the percentage increase in enrollment in 1975-76 is less than in the previous year. The average percentage increase in enrollment for 1974-75 was 22.5, but in 1975-76 the average percentage increase fell 6.6 percentage points to 15.9 percent.

When comparing percentage increases in appropriations with those in enrollments, we find that for 1974-75 only four out of nine states had higher percentage increases in appropriations than for enrollments. In 1975-76 four out of seven states witnessed the same occurrance.

Capital Funds

Capital funds are most often derived from two sources: 1) income from the sale of bonds and 2) state appropriations. A total of 23 pieces of legislation were reported providing for funds for new construction and capital improvements to institutions of postsecondary education.

The legislation reported does not differ considerably in content from one state to another. Most of the bond issue legislation includes the total value of the bonds to be issued, a general statement of the types of projects to be funded from the income derived, and some reference to who must authorize the construction of the projects. Likewise, the capital funds appropriation legislation does not vary considerably from one state to another except in the amount of the appropriation. One exception is the North Dakota legislation authorizing the issuance of revenue bonds to finance capital expenses (24-2). The noteworthy item in this legislation is that it allows a single bond issue for more than one capital expense project with bonds being payable from combined income of all the buildings financed through the bond issue. Also the bill authorizes that the revenue used to pay off bonds could come from buildings or tuition. This practice is an unusual one, not found in many other states.

Financial Procedures

Legislation in the area of financial procedures accounts for about 15 percent of the legislation considered in the states reporting during the 1973-75 period. Legislative action in this area was particularly heavy but spread quite evenly among the states, with activities in any one state ranging from a high of seven downward to zero.

The legislation affecting financial procedures may be classified into four groups:

1) Legislation resulting in greater financial flexibility
2) Legislation resulting in more available funds
3) Legislation resulting in a decrease in available funds
4) Legislation controlling expenditure of funds

Several pieces of reported legislation resulting in greater financial flexibility affected community/junior colleges only. They included laws such as those passed in Kansas (16-7) and Illinois (13-3) allowing minimum bond issues on tax levies without a public referendum. They also included legislation which would provide for efficiency of resource utilization thus aiding spending flexibility by freeing funds. Included here are bills proposed in Iowa and Arizona authorizing joint purchasing and joint construction by community college districts.

Another liberalizing bill resulting in greater fiscal flexibility is a bill recently passed in Connecticut (7-3) amending previous legislation by allowing all public institutions to transfer a maximum of $1000 between specific appropriations without prior approval of the financial advisory committee. Previously, prior approval was necessary.

Other pieces of legislation were received which will result in an increase in funds available for postsecondary education. Two of these are attempts to bring this about indirectly. An enactment in Mississippi (24-9) increases the maximum bond interest rate from 6 percent to 7 percent until March 31, 1976. The other is a Michigan law which became effective in October of 1974 which allows corporate tax credits for contributions to organizations operated exclusively for the benefit of institutions of higher education. Previously only libraries and higher education institutions were allowable sources of tax credit.

Another bill of interest is one passed last year in North Dakota (34-3) which allows all credits earned in any community college course to be included in computation of FTE students upon which state aid is based. Previously, the state aid formula discouraged other than full-time day instruction.

The third category for legislation affecting financial procedures is that which results in a decrease in available funds. Three such pieces of legislation were passed recently in Wisconsin. One of these (49-9) reduces the multiplier used in determining state aid to community colleges from 55 percent to 35 percent. It was reported from Wisconsin that this is the first time the level of state support has been reduced and is all the more notable in light of the fact that enrollments are increasing at an annual rate of approximately 9 percent. Another Wisconsin piece of legislation (49-3) mandated that vocational, technical and adult education districts must pay costs associated with certification of educational personnel and that certification expenses shall not be included in the district aidable costs. The third Wisconsin bill (49-8) repeals the allowance of each district to include 11 percent of instructional costs as administrative costs in computation of operational costs. The fact that this delimiting legislation has occurred in Wisconsin despite the national and state leadership shown by the Wisconsin Board of Vocational, Technical and Adult Education reflects the general concern among legislatures across the nation for reducing state expenditures in the face of a faltering economy.

The fourth category into which legislation affecting financial procedures falls is that which produces greater state control over expenditure of appropriated funds. Three of the pieces of legislation in this category were received from Arkansas and represent significant changes in state postsecondary education policy.

The effect of these pieces of legislation is to define state supported institutions of postsecondary education as "state agencies" and to reduce institutional autonomy considerably even to the point of lessening institutional control over local income. One of these pieces of legislation (4-2) provides for state control of all cash funds for postsecondary educational institutions excluding only gifts or endowments not used for operating expenses. The effect of this law as reported from Arkansas is to place tuition, fees, and other local income under state control. As an example of the effect of this law, Act 508 (4-5) appropriates for salaries and operating expenses cash funds resulting from local revenue such as tuition. Another Arkansas law (4-4) exempts funds derived from local taxes from this appropriation requirement. However, this could be seen as a token concession since, by law, local tax funds cannot be spent without state approval. Thus, while there is no specific appropriation requirement for expenditure of local tax funds, there is in effect a mandatory pre-audit provision.

State-Level Concerns

All of the legislation included in this broad category of Table 2 relates to legislative activity affecting the nature of the state's direct involvement in postsecondary education. Included are 88 pieces of legislation from 24 jurisdictions, one of the highest areas of activity and interest of any shown in Table 2.

State Level Administration

Legislative action related to state-level administration of colleges and universities are numerous and worth separate tabulation and comment. Thirteen jurisdictions reported 33 pieces of legislation related to state-level administration. Twenty-four of these affected all public postsecondary education and ten affected community colleges exclusively. The 34 bills may be divided into three subcategories:

1) facilities, 2) employment regulation and 3) governance.

Legislation affecting state-level administration related to facilities was proposed in Connecticut (7-6); Florida (9-13); Michigan (22-30, 22-31); and Oklahoma (36-19, 20-21) as well as others. Of particular interest may be the Connecticut legislation transferring leasing authority from boards of trustees to commissioners of public works. Also of note are two Michigan laws aimed to increasing building accessibility by handicapped persons by disallowing exemption from requirements that all new construction be barrier-free in design.

One example of a law falling under the employment subcategory, is a Connecticut law (7-41) requiring the development of affirmative action plans by all state agencies. The third category of state-level administration includes legislation related to governance powers of state-level boards. Four pieces of legislation are of particular interest here. A Washington law updated the 1969 legislation which established the Coordinating Board for Community College Education. A Missouri law (25-1) transferred responsibility for state-level administration and supervision. In Puerto Rico two actions are of interest. One project not converted into law would have created a new board for technical and highly skilled occupations, evaluation and stripped the Department of Education and the University of Puerto Rico of all facilities and jurisdiction on this type of education. Instead, a law was passed on August 9, 1974 which reorganized the State Board for Vocational and Technical Education increasing the members of the Board, including the President of the University as a member and giving the Board complete authority on technical education, except that the University programs are left untouched.

Statewide Coordination

Fifteen states reported a total of 35 peices of legislation affecting statewide coordination of postsecondary education. Eighteen of these related to all public postsecondary education institutions and 17 to community colleges specifically. Within the 35 pieces of legislation are included two groups of legislation of particular interest. One of these groups covers the effective use of postsecondary educational resources and the other relates to the establishment of coordinating bodies.

During the early decades of the present century, concern for the coordination of postsecondary education became an interest of the states. Through the 1960s, coordination was synonomous with controlled growth of resources. Institutional growth had to be contained within the limits of 1) the budget; 2) rationality; 3) standards of quality. During the current decade, however, coordination interest has shifted somewhat to concern for continued expansion of postsecondary education opportunities but without expanding resources at an equal rate. Thus, state legislative and administrative bodies are searching for means to the effective and efficient use of existing resources. That this is indeed the case is evidenced by 12 legislative actions reported which are aimed at achieving this objective. Of particular interest is legislation promoting regionalization.

Regionalization can be defined as a pattern of postsecondary educational institutions joined by official state action or given official state recognition in a planned effort to solve certain institutional and regional educational needs.[3] Of particular interest among the regionalization legislation are California (5-19) and Florida (9-4) bills proposing the establishment of regional coordinating councils. In Florida, these councils would coordinate all postsecondary education in a single community college district. In California, the councils would review and recommend to boards occupational and adult education courses. In addition, an Oklahoma law provides for the expansion of postsecondary education opportunities in one area of the state through the use of existing resources of the State University and a minimal initial grant of $100,000. Also included in this section is the legislation establishing the Colorado Auraria Higher Education Center and the Connecticut Higher Education Centers.

Also of interest is legislation related directly to responsibilities of state level coordinating boards. One noteworthy example is the Wisconsin law (49-4) amending previous legislation by allowing the State Board of Vocational, Technical, and Adult Education to withhold in whole or in part, payment of state and federal aid to any district board which fails to report data within a final deadline, and in required format. Also included here is legislation providing for Vocational-Technical Advisory Councils in Hawaii and Texas.

Surveys and Studies

The report received from the states indicated that there were six pieces of legislation passed calling for studies and surveys of either 1) postsecondary education or 2) aspects of state government administration related indirectly to postsecondary education. Six of the actions reported for this survey fall into the former category and one falls into the latter category. The first five include three resolutions: one (11-6) in Hawaii calling for a comprehensive study of vocational education in the state; the second resolution (34-6) was reported by North Dakota which directed the legislative council and the Board of Higher Education to perform a comprehensive study of postsecondary education including the feasibility and desirability of the merger of junior colleges into the state system. The third resolution (20-9) directs the Nevada legislative commission to study budget formulas and budget formats used for the University of Nevada System and to report results of the study and make recommendations.

Besides these resolutions are the following laws. An Oklahoma law authorizes the Regents for Higher Education to study employee benefits programs leading to policy direction for the establishment and maintenance of uniform and equitable benefits to comparable personnel of all institutions in the system. A Connecticut law provides for the development of a state master plan for postsecondary education. One piece of legislation which relates only indirectly to postsecondary education is a Connecticut law requiring a state inventory of facilities and their use.

State Aid to Community Colleges

Four states reported 9 pieces of legislation related to state aid for community colleges and a fifth (Michigan) reported one dealing with aid to private postsecondary institutions. Two bills were submitted by Missouri which are proposals to change the state aid formula for community colleges. Without discussing the details of the two bills, suffice it to say that one (25-8) would cost the state approximately $15,000,000 less than the other (25-18). A North Dakota bill (34-4) amends previous legislation which stated that to be eligible for state aid, community colleges had to be annually inspected by the Board of Higher Education and Board of Vocational Education by adding provision that community college budget proposals must be submitted to State Board of Public School Education review.

Basic Legislation

Since the community college movement has been viable for many years, it is noteworthy that some states are even now considering legislation establishing a legal basis for community colleges. This is so, however, because in some states, even though community colleges or similar institutions are in existence, their legal basis is still being clarified. Three of the five laws reported in this section are meant to remedy this kind of situation. A Texas resolution (43-11) proposes a constitutional amendment providing for junior college districts, district taxing and bonding authority. If the amendment is accepted by the people, it will modify significantly the current community college legal basis which is a complex of attorney general rulings, court decisions, and administrative regulations. Another Texas bill (43-5) and a Connecticut law (7-29) provide a detailed statement of the community college mission for these states.

A bill enacted in Arkansas in 1973, authorizes the establisment of community college districts and provides for their financing. The law is the basic legislation for community colleges in Arkansas and is complete even to the requirement that the State Community College Board certify "Comprehensiveness" of community college programs.

Institutional Concerns

This category includes 77 pieces of legislation received from 23 jurisdictions having a direct impact on postsecondary education institutions. Included in this category is legislation affecting: institutional administration, trustees, and institutional changes such as the addition of new campuses, or name changes.

Institutional Administration

Seventeen states were reported to have experienced legislative action affecting the administration of postsecondary education at the institutional level. Following a typology for this established by Martorana in his U.S.O.E.[4] sponsored survey of state legislation, the legislation in this area is to be classified as "protective," "supporting," "permissive," or "mandatory." The 42 pieces of legislation enacted during the past biennium which were classified as being related to institutional administration fall into these categories in the following distribution:

	Protective	Permissive	Supporting	Mandatory
Number of States	2	7	1	5
Number of Acts	10	23	1	8

This tabulation highlights an interesting concentration of legislative attention to both permissive, on the one hand, and mandatory types of legislation, on the other hand, relating to institutional administration. This apparent paradox results evidently from the role perceived of state legislators to guide some development in higher education through enactment of permissive legislation and to direct others more specifically toward certain state administrative procedures.

Under protective legislation, the authors listed ten state laws. One passed in Tennessee provides for the purchase of liability insurance by institutions of higher education to cover claims of employees and citizens. This bill clearly is aimed at protecting institutions. However, this is not the first time Tenessee institutions received such protection. Previously liability claims against them were paid out of state funds after being evaluated by a State Board of Claims. Also, a Connecticut law provides for the establishment of traffic regulations and imposition of fines by community college boards of trustees.

Only one piece of legislation was enacted which could be classified clearly as supportive. The Hawaii House of Representatives passed a resolution recognizing the weak stature of community colleges within the University of Hawaii System created by placing governance of each community college in the hands of a provost and the failure of the University to accord the vice president for community colleges the same level of responsibility and stature as the vice president for Academic Affairs and Business Affairs. The resolution proposes that the Vice President for Community Colleges should be given equal stature with other vice presidents.

Permissive legislation accounts for 23 legislative actions. Included in this category are such laws as the Wyoming Joint Powers Act (50-5) which provides counties the authority to engage in all functions that cities are authorized to perform when a city and county are operating under a joint powers agreement. Included in the joint planning, creation and financing of public educational facilities. The Connecticut legislature passed five pieces of legislation in the last biennium which are permissive in nature. One (7-37) authorizes the expenditures of funds from general appropriations to support child care centers utilized in institutional programs. Another (7-1) extends permission for campus beer sales to all higher education institutions. A fourth example of permissive legislation and one aimed at assisting institutions as well, is the Mississippi law (24-3) authorizing the State Highway Commission to construct and repair driveways and streets at public junior colleges.

Six states were found to have introduced eight bills of a mandatory nature. Included in this category is the Florida Administrative Procedure Act (9-2) requiring all state agencies to formalize procedures for administering the agency. Four other examples are the legislative action taken by Connecticut (7-32), Kansas (16-6), Iowa (15-2), and Mississippi (24-1) all of which require open public meetings. The Iowa bill relates specifically to mandated budget hearings of area schools. The other three are "Sunshine" laws requiring open meetings of all public agencies.

Trustees

Seven states reported 12 bills relating to community college trustees.

It is interesting that all of the legislation reported in this section affects community college trustees only. This may be the result of the fact that in many states community college trustees are elected by the general public residing in the district served. In such cases, state laws provide the general procedures for the election. Need for such procedures is especially necessary when election districts do not fall within a single local jurisdiction or when the community colleges are broad regional or state institutions.

Among the seven states in which legislation affecting community college boards of trustees was dealt with, are Oklahoma (36-5), Kansas (16-8), Illinois (13-7), Iowa (15-3), and Missouri (25-7). The legislators in the first three of these considered legislation concerning provisions for electing trustees in general and the latter two dealt with the election of trustees from subdistricts.

Institutional Changes

Twelve reporting states considered 23 pieces of legislation related to postsecondary education institutional changes. Three of these were laws establishing new community colleges. One Oklahoma law (36-6) authorizes the establishment of five new community colleges and another (36-7) provides for the establishment of Tulsa Community College. In Mississippi, Copiah-Lincoln Junior College District was created by law (24-2).

Two other pieces of legislation led to institutional growth other than the establishment of new colleges. An Arkansas law authorizes public postsecondary education institutions to offer extensive programs and a Puerto Rico law (52-2) converts a two-year regional college to a four-year institution.

Also, a Hawaii resolution (11-3) has the potential of leading to institutional expansion. It calls for the University of Hawaii to request Naval surplus land for possible future expansion of Leeward Community College.

Legislative concern for college expansion has declined considerably since the last State Legislation report by Martorana, when 46 pieces of expansionary legislation were reported for the 1963-64 biennium. Included in the institutional growth category is institutional name changing which suggest institutional expansion, and, while not included in the tabulation of new institutions is still noteworthy. Legislation in four states resulted in name changes, all of which signify some type of growth. In Oklahoma, all of the state colleges have been redesignated with respect to their functions. The evolutionary pattern of change in state colleges which began during the last decade is continuing, however, the rate of change may be reduced. Two pieces of name change legislation in Tennessee are of particular interest. Both pieces deal with the same institution (Chattanooga State Technical Community College) and include references not only to a name change but a function change as well. In early 1973, one bill (42-2) changed the name of Chattanooga State Technical Institute to Chattanooga State Community College. The bill moved responsibility for the institution from the State Board of Education to the State Board of Regents and changed the function of the institution from purely technical education to comprehensive community college education.

The bill also stated that the intention of the legislature is that there be a coordinated program of postsecondary education in the Chattanooga region averting unnecessary duplication but did not specify a mechanism for achieving this. Later (42-5) in the year, the name of Chattanooga State Community College was changed to Chattanooga State Technical Community College. No mention of any additional redirection in the mission of the college was made, however, so it is assumed that this mission remained as changed earlier in the year. The new name, it appears, serves to reemphasize the technical programs which the college offers.

Another piece of name change legislation is proposed in Texas (43-2) which denotes expansion of function. The bill would authorize junior college districts to change names by substituting the word "community" in lieu of the word "junior." This authorization no doubt is meant to emphasize the position taken by the coordinating board of the Texas State College and University System that while the community colleges are funded almost wholly at the state level, they are still meant to be "local" rather than "cosmopolitan" institutions.

Besides this legislation related to growth and expansion in postsecondary education, attention should be called to five pieces of legislation included in the curriculum subsection of this report related to the establishment of college and university research centers. This legislation was included in the curriculum section because of the obvious emphasis placed on curriculum in the legislation. However, it does denote growth as well.

Finally, in this section, attention needs to be paid to the four pieces of legislation introduced in as many states restricting growth in postsecondary education. An Illinois law (12-2) amended previous legislation by adding a 20 percent increase in headcount enrollment to existing prerequisities for a new campus to quality for a $100,000 initial grant. A Texas proposal (43-9) would require junior college districts to receive prior approval of the coordinating board to establish branch campuses, centers, extension facilities and to offer courses outside the boundaries of their districts. In Arkansas, legislation was enacted addressing concern that a "theoretically unlimited number" of community colleges could be created before funds for their operation were identified. The Arkansas legislation mandates action to support new institutions prior to their establishment. An Iowa proposal (15-4) would prohibit an area school operating as a vocational/technical school from expanding its curriculum to qualify as an area community college. It also prohibits the formation of any additional area schools which would offer college parallel courses. Finally, a Connecticut law (7-24) requires the Commission for Higher Education to provide justification based on current studies of population density, faculty utilization, program inventory, availability of comparable programs in the region and such other criteria of need as may be appropriate to the General Assembly before any new higher education institutions are established.

Personnel

Unlike the situation which existed a decade ago when Martorana, and others, concluded a series of reviews of state legislation affecting higher education, colleges and universities are no longer faced with a serious shortage of qualified personnel to staff their programs of instruction, research, and public service. Thus, it is not surprising that legislative actions dealing with personnel no longer make up the largest category of topical areas as they did ten years ago. In a period of undersupply, greater interest was shown in ways to increase the manpower pool need in higher education. However, in the current period of oversupply and declining resources, attention seems to be focused on job security as well as more traditional interests largely unaffected by supply and demand such as retirement benefits. Such was the case during the last biennium when personnel issues accounted for 36 pieces of legislation; except for one, this was the smallest number of any of the categories in Table 2.

Collective Bargaining

Generally speaking collective bargaining seeks stronger employment security and more formalized employment procedures, logical preoccupying considerations in a time of instability in postsecondary education. Last year 16 states considered legislation which would legalize collective bargaining for professional staff in postsecondary educational institutions.[5] Three of these are reported here. In response to our survey, Connecticut, Arizona, and Missouri reported legislation aimed at legalizing collective bargaining for faculty. The Connecticut legislation (7-42) became effective October 1, 1975. It was last reported that the Arizona and Missouri bills were under consideration. The Arizona and Missouri bills are typical collective bargaining bills.

One of the two Missouri bills (25-10) passed the House Committee and was awaiting House vote as of last report from Missouri.

Three other bills relating to collective bargaining have become law in Michigan (22-1), Washington (47-2), and Florida (9-6). All of the bills deal with issues involving the definition of the bargaining unit. The Michigan and Florida laws provide for the right of employees to refrain from joining a union. The Florida law provides support for individuals denied employment on this basis and the Michigan law requires such individuals to pay a service fee if they benefit from labor negotiations even if they are not union members. The Washington law broadens the definition of "administration" to include anyone employed 50 percent of the time with authority to hire, dismiss, or discipline any employee. Previously only chief administrative officers were identified as members of administration.

Personnel Rights

Faculty right to due process resulting in greater employment security were the subjects of two pieces of legislation enacted in Nevada and Kansas during the first 1975 legislative session. The Kansas law (6-3) extends statutory due process procedures upon termination or non-renewal of contracts to community college faculty. The Nevada law (28-3) provides for an annual evaluation of full-time faculty and for a two-year probationary period after which dismissal shall be for just cause only. Dismissal action must be in writing and included in the employee's file along with any written reaction to the dismissal. The law, in effect, grants tenure to community college faculty and would seem to question the constitutional authority of the Nevada Board of Regents over hiring, dismissal, and retention of University of Nevada employees.

Employee Benefits

Seventeen pieces of legislation were reported in this category. Nine of these deal with retirement plans and in all cases either provide for increases in benefits or extension of retirement plans to include additional groups of employees. Three more of these legislative actions related to salaries of community college personnel. Two of these are Iowa bills dealing with determination of area school superintendent salaries and one is an Arizona law (3-3) exempting community college employees from legislative determination of salaries.

Five additional pieces of legislation in this category deal with unemployment compensation (9-19, 22-9) group insurance (28-8), liability protection (7-17) and workmen's compensation (25-4).

Students

Eighteen states dealt with 48 pieces of legislation affecting postsecondary education students in 1) all types of postsecondary education institutions, 2) private institutions only and 3) all types of public institutions. Forty-one of these bills are in the category of student aid, and seven deal with students in general. Table 4 summarizes the proposals received.

Traditional practice in colleges and universities places responsibility for management of policies affecting students and student affairs on the administrative officials and faculties of the institutions. However, in recent years increasing amounts of state legislative action have been taken directly affecting students and institutional policies and relating to student affairs. Much of this new legislation has resulted from a federal position of supporting student aid as a means of promoting equal educational opportunity and increased access to postsecondary education.

Table 4

Numbers of State Legislative Proposals on Students

By Particular Topic

Veterans	Disadvantaged	Senior Citizens	Scholarships	Part-time Students	Tuition	Rights and Responsibilities
8	5	4	12	2	8	7

Veterans Benefits

Six of the responding states passed eight pieces of legislation providing for tuition waivers for veterans, their dependents and dependents of servicemen who are Prisoners of War (POW) or Missing in Action (MIA). Connecticut, Florida, Michigan, and Oklahoma all provided for the waiver of all tuition and fees for dependents of POWs and MIAs and those killed in action. Connecticut also waived full tuition for veterans of Viet Nam. Colorado provided for 1/2 tuition waiver for these veterans and Mississippi authorized payment of tuition to postsecondary institutions to member of Mississippi's National Guard.

Disadvantaged Students

Two states implemented five pieces of legislation during the last biennium related to educational opportunities for disadvantaged students. Examples of these laws include the Connecticut law which changed its work study program for needy students by deleting the mandate that 5 percent of student financial assistance funds appropriated in any one year shall be for this purpose. That same state provided for the waiver of tuition by governing boards for students who demonstrate substantial financial need. The Texas state legislature passed a bill in 1973 which provided for increases in educational opportunities for disadvantaged students and establishes criteria for these programs.

Senior Citizen Students

Four states passed legislation of direct benefit to senior citizens. Two bills passed in Tennessee and one in Connecticut allow persons 60 years or older to audit or enroll on a space available basis free of tuition. Similar bills in Arkansas and Iowa do not require such limitations. However, the Iowa legislation does limit free enrollment of senior citizens to community colleges and provides for reimbursement of $20 per semester hour to a maximum for the entire state of $2 million in the 1975-77 biennium.

Scholarships

Three bills were passed which resulted in increased scholarship funds available in Michigan, Hawaii, and Arizona. The Michigan and

Hawaii bills amended previously enacted state scholarship programs by increasing individual scholarship amounts in Michigan and the number of available scholarships in Hawaii.

Financial Aid for Part-time Students

A fact of special significance to community colleges is that in recent years, the number of part-time students has come to exceed the number of full-time students enrolled in postsecondary education. The Committee on the Financing of Higher Education for Adult Students reports that since 1969 more students have participated in postsecondary education on a part-time basis than on a full-time basis and that in 1972, for the first time, approximately one-half of the students enrolled in postsecondary education did so on a part-time basis.[6]

One of the Committee's major recommendations was that equity in financing postsecondary education was surely needed but would not be achieved until part-time students shared eligibility with full-time students for publicly funded student aid programs. Two states have taken action in this direction as reported in Table 2. These states are Illinois and Iowa. Both states have opened up their major state student aid programs to part-time students. The Iowa legislation provides that students enrolled for a minimum of six semester hours are eligible for a tuition grant of one-half the amount a part-time student is eligible for. The Illinois program makes part-time students eligible for Illinois State Scholarships.

Rights and Responsibilities of Students

There were seven bills reported in this category. Two of them, one in Connecticut and one in Michigan provide for the election of student representatives to governing boards. The Michigan law declares that no conflict of interest shall arise for students assuming governing board membership.

A new Michigan law deserves special note for the attention it pays to a long neglected problem: the stigma of being an exconvict. The bill, whose purpose is to encourage and contribute to the rehabilitation of former offenders and to assist them in the assumption of the responsibilities of citizenship, prohibits the denial of a license solely on the basis of prior conviction. The bill also requires applicants, found to be unqualified for a license because of a lack of good moral character, to be furnished with a statement to this effect which contains a complete record of the evidence upon which the determination was based.

A Missouri bill provides for the issuance of high school equivalency certificates in that state. A law passed in Tennessee removed all discriminatory qualifications for admission to the state university and community colleges. Another bill, in the same state, removed a discrimination against part-time students by providing that all extracurricular functions and facilities shall be available to part-time students enrolled for at least six semester hours of credit.

Finally, two Connecticut bills are notable. One provides for the use of all libraries in the state system by any student enrolled in the system. The other prohibits the discrimination against students because their religious beliefs keep them absent from school. Such students must be provided an opportunity to make up missed work at no extra charge.

Tuition and Fees

Ten different proposals were reported which affected either the amounts of tuition to be collected by public institutions from certain students or procedures followed in collecting fees. Bills passed in Connecticut, Kansas, Wisconsin, Hawaii, and Texas affected tuition for specific types of students. Affected were foreign students in Texas whose tuition was increased from $14 to $40 per semester hour; the rate paid by other nonresident students; nonresident students in Hawaii whose tuition is reduced from four times to two times the resident tuition fee; students enrolled in vocational-technical and adult education districts in Wisconsin who now pay a uniform statewide tuition fee; Kansas students enrolled in community colleges outside this district who no longer need approval from their sending district; and Connecticut extension students who no longer have to pay both extension fees and tuition.

Academic Concerns

This category is the smallest of the major categories included in this report. Included in it are 22 pieces of legislation received from ten states. While small in size, however, this category includes some of the most important legislation enacted during the past biennium.

This is because academic concerns in postsecondary education have traditionally been the sole responsibility of the institutions themselves. However, in recent years some evidence appears of encroachment of the state into this area of college operations.

Curriculum

The curriculum or the program of studies offered by colleges and universities has been jealously guarded by the academic community. However, in the past decade an erosion of academic autonomy has been the result of such occurrances as the increasing role of higher education in public service; increase in public funding of higher education, and rising awareness by public officials of the educational needs of their constituents. These issues and others might be behind the 11 reported legislative actions affecting curriculum in postsecondary education. All 11 of the reported actions have become law in six states.

Ten years ago, it was reported by Martorana, that one-fifth of the enactments affecting curriculum were restrictively proscriptive in nature. The present study reports that 43 percent of the laws in this category may be so labeled. One of these is Tennessee law (42-13) requiring all students to complete a minimum number of credits in either Tennessee of American history. A Hawaii resolution (11-7) recognizes the need for environmental education and resolves that it should become an essential thrust of curricula in the University and the community colleges. Recognizing the increasing pressure being put on diploma and associate degree nursing program graduates to continue their education at the baccalaureate level, the Texas legislature has passed a law requiring publicly supported nursing programs to grant credits for actual educational and clinical nursing experiences.

Several of the laws reported here may be described as "enabling legislation," permitting the expansion of institutional offerings. Four of these relate to the establishment of educational programs and research centers in four specific fields. The Colorado legislature created an Energy Research Institute and appropriated $910,000 in state funds and $1,950,000 federal funds to support it. The Oklahoma legislature passed two bills. One of these (36-17) provides for Economic Education Centers to be established in state colleges and universities to assist common schools with curriculum planning, inservice training and institutional development in the area of economics education. The other (36-2) designates the University of Oklahoma's Southwest Center for Law Enforcement as the official training center for Oklahoma policemen.

A Hawaii resolution (11-1) calls for the expansion of the Honolulu Community College Senior Citizens' Center to include a greater role in providing programs, training, and research. Another of the pieces of enabling legislation enacted in Hawaii (11-8) authorizes the Department of Labor and Industrial Relations to enter into contracts for manpower development and training programs with the University of Hawaii.

Accreditation and Certification

Accreditation has historically been the concern of private agencies charged with giving "recognition to educational institutions whose performance and integrity entitle them to the confidence of the educational community and the public."[7] However, state agencies continue to become more involved in the accreditation process, through licensing, inspecting, and approving processes. States view their involvement as required by their roles as protectors of the public interest. In recent years, this rationale has been supported by a consumer movement and by increased public financial support for education, particularly postsecondary education.

Eleven states reported legislation dealing with accreditation and certification in postsecondary education. Four of these provide for the regulation and approval of education programs. Kansas enacted a law providing for the accreditation of nursing programs. Hawaii passed a resolution requesting the State Nursing Board to reduce required faculty student ratios in the state's nursing programs. Iowa and Nevada experienced legislative action affecting state regulation of proprietary schools. An Iowa bill (15-5) would exempt such schools accredited by a recognized accreditation agency from required state approval. The Nevada law (28-7) is proscriptive providing for the state regulation of private educational institutions for the protection of the public. The Nevada law is quite comprehensive, covering several concerns which are typical of private accreditating agencies also such as academic quality and fiscal responsibility.

Two bills affect faculty who are teaching in community colleges. One, a Kansas law (16-10) deletes certification requirements for community college faculty as a condition of employment. However, an Attorney General's opinion has held that instructors teaching courses supported by vocational funds must still be certified. Quite interesting is a Wisconsin law (49-11) allowing the Vocational, Technical and Adult Education to withhold or suspend state aid from programs whose faculty do not meet minimum standards.

Finally, four bills in this category provide for the licensing and certification of Veterinary Technicians (25-3), Real Estate Brokers (28-4), Teachers (15-8), and Automobile Mechanics (22-35).

III

SIGNIFICANT LEGAL ACTION AFFECTING COMMUNITY AND JUNIOR COLLEGES

Of the 40 state directors responding to this survey, 31 replied to a request for information regarding the most significant legal action affecting community and junior colleges in the states during the past five years. This information reflects the opinion of state directors of community and junior colleges who, by the nature of their position are able to view action of legislatures, the courts, and attorney generals from a perspective which allows them to see clearly the interrelationship of these actions and the relative merits and significance of each. For this reason, the opinions of these state directors are important to anyone interested in the present and future development of state level policy affecting community and junior colleges.

The 31 state directors who responded to this question, reported a total of 73 significant legal actions which have been classified for this report into nine categories (Table 4). These nine categories are: 1) Finance; 2) Personnel; 3) Governance; 4) Institutional Growth; 5) Coordination; 6) Legislative Support; 7) Integration of Community Colleges with Four-year Institutions; 8) Miscellaneous; 9) No Significant Action. A summary of the significant legal actions in each of these categories follows:

1. Finance

Florida
North Carolina
Oklahoma
Maryland
Texas
Illinois
Georgia
New York
New Jersey
Mississippi
Wyoming
North Dakota
Washington
Nebraska
California
Massachusetts
Pennsylvania

These 17 states report 18 different significant legal actions affecting community and junior colleges in the area of finance. For purposes of clarity, these are further subdivided into the following four groups: a. cost-based funding; b. consistent financial support; c. control of expenditures; d. constitutionality of financing method.

1. a. Cost-Based Funding

Referred to variously as differential funding, variable cost funding or simply, cost-based funding, this issue is seen as a significant one in Florida, New Jersey, Texas, Wyoming. In Florida, the state legislature has already adopted a cost-based funding formula. In New Jersey, a proposal to provide variable levels of support according to the approximate cost of programs was introduced during the 1974 legislative session by the Governor and has recently been reported out of committee which, according to the State's Office of Community Colleges, gives it virtual assurance of passage. The respondent reports that the bill is currently being delayed by the state's fiscal difficulties and its final form wil probably reflect the availability of state-wide program cost data. Texas shifted from undifferentiated (and fall-enrolled) FTE funding to program area (and year-round) contract funding with passage of the appropriations act for the 1974-1975 biennium. In Wyoming, an FTE funding formula has been repealed in favor of fund

Table 4

Significant Legal Actions Affecting Community and Junior Colleges in 30 States and Puerto Rico

State	1				2			3	4	5	6		7	8	9	Total Action Reported
	a	b	c	d	a	b	c				a	b				
Arizona															1	1
Arkansas											1					1
California			1			1	1			3				3		9
Delaware													1			1
Florida	1				1									1		3
Georgia		1														1
Hawaii						1										1
Illinois		1								1				1		3
Kansas															1	1
Kentucky										1						1
Maryland				1												1
Massachusetts			1													1
Missouri								1								1
Mississippi								1								1
Nebraska				1												1
Nevada									2							2
New Jersey		1		1	1	2	2	3								10
New York				1												1
North Carolina		2														2
North Dakota		1														1
Oklahoma		1														1
Pennsylvania		1														1
Rhode Island															1	1
Tennessee									5							5
Utah											1					1
Washington			1													1
West Virginia								1								1
Wisconsin												2				2
Wyoming	1	1														2
Canal Zone															1	1
Puerto Rico								4	7				2			13
Actions	2	9	3	4	2	4	3	10	14	5	2	2	3	5	4	72
States	2	8	3	4	2	3	2	5	3	3	2	1	2	4	4	*

Key

1 - Finance: 1. a, cost-based funding; 1. b, consistent financial support; 1. c, government control of expenditures; 1. d, constitutionality of financing method.

2 - Personnel; 2. a, collective bargaining; 2. b, evaluation of faculty; 2. c, part-time faculty rights.

3 - Governance

4 - Institutional Growth

5 - Coordination

6 - Legislative Support; 6. a, basic legislation; 6. b, other legislative action

7 - Alignment with Four-Year Colleges

8 - Miscellaneous

9 - No Significant Action

*Would add to more than 31 because some jurisdictions in several columns allocation on the basis of program cost and need.

1. b. Consistent Financial Support

Steady and, at times, dramatic, increases in operating and capital funds have been approved by state legislative bodies in Georgia, Illinois, Oklahoma, Mississippi, North Carolina, Wyoming, North Dakota, and Pennsylvania. In North Carolina, consistent financial support from the general assembly has enabled the maintenance of the "open door." Also North Carolina county Boards of Commissioners are now able to levy up to a 150 mill tax increase without public vote. In Oklahoma, all community colleges are now fully state funded whereas previously several were not. State appropriations to community colleges in Wyoming have increased 72 percent and 51 percent in 1973 and 1975 respectively. The 1971-73 appropriation in Wyoming was $6.7 million and the 1975-1977 appropriation was $16.3 million. State fiscal support for community colleges in North Dakota has been bolstered by a change in the basis for funding from actual full-time student enrollment to FTE enabling aid to be received for summer term and part-time students. It was reported from Pennsylvania that the community college reimbursement formula was changed significantly. The maximum state aid was increased from one-third of $200 per FTE to one-third of $1500 per FTE and a $150 stipend was added for students enrolled in non-transfer courses.

1. c. Government Control of Expenditures

State or county control over expenditures of public funds by community colleges has increased recently in New York, Maryland, Washington, California, and Massachusetts. Community colleges in New York have experienced an end to open-ended support of community college expenditures. The adoption in 1969 of multiple factor formula, for all its imperfections, signalled an end to New York's assumption that local boards of trustees and local sponsors would be able to exercise sufficient discipline in tempering the escalation of community college costs. In Maryland, the 1973 General Assembly authorized county governments to review and control community college budgets which previously were free of control by taxing authorities. The General Assembly also authorized counties to set the level of local support which had previously been obligated at 28 percent. This action is likely to result in changes in state contributions and tuition. A Washington State Supreme Court decision in the "Greenwood" case, confirmed the statutory authority of the State Board for Community College Education to limit the expenditure of both state and local revenue by community college boards of trustees. In that state, community colleges are viewed as state agencies with funds appropriated to the State Board which distributes the funds to the colleges. In California, local community college budget autonomy seems endangered as a result of a limit placed on state aid to community college programs. The limit is only for one year but a Los Angeles Times article of August 20, 1974 reports an administration official saying it may lead to reform of the entire method of financing community colleges in order to get a hold on adult education programs. This, the article reports, would probably evolve into a line item budget, giving the Governor and Legislature more control over community college programs. A Senate Bill passed in 1974 had shifted significant financial support of the colleges from local districts to the state, but college budgets are still largely locally controlled.

Without a doubt, the most significant occurrance in Massachusetts has been the budget restriction. The Board of Regional Community Colleges operated well into the fall of 1975 without a budget and on 90 percent of the last year's expenditures. According to a respondent from Massachusetts, "the problem came about as a result of the state's large deficit. Although strong support for community colleges is still apparent in the legislature, all state agencies are being asked to reduce spending. Very late in August, we were notified that we would have to live with less money for the full fiscal year than was appropriated last year, notwithstanding the fact that we have enrolled almost 3,000 more students this fall. . . the inclusion of a moratorium on merit increases in last year's budget is a direct threat to the Board's fiscal autonomy. . . ."

I. d. Constitutionality of Financing Method

The constitutionality of the financing method used by community colleges has been successfully challenged in Nebraska and is threatened in New Jersey. Because Nebraska's state constitution prohibits the use of local property tax and sales/income tax for state use, the State Supreme Court found the funding formula for Nebraska's Statewide System, which depended upon these sources of funds unconstitutional. The State legislature, subsequently, decided to retain this local property tax basis of funding the technical community colleges which meant that the State Board for Technical Community Colleges and the statewide system had to be abolished. In New Jersey, the Botter decision, in a case involving public schools, held as unconstitutional, the method of financing public schools by property taxes. While this decision has not been construed to apply to community colleges, it may represent a threat in future years.

2. Personnel

California	Hawaii
Florida	New Jersey

These four states reported nine significant legal actions affecting community and junior colleges in the area of personnel. Five of these actions were reported by New Jersey with the other three states reporting one each. These actions can be grouped into: a. collective bargaining legislation; b. evaluation of faculty; and c. rights of part-time faculty members.

2. a. Collective Bargaining

Hawaii, Florida and New Jersey have all adopted collective bargaining acts affecting community college faculty and California is considering one. The respondents from Hawaii and Florida report that the collective bargaining acts within their states have resulted in major changes in administrative procedures. In New Jersey, Senate Bill 1087 expanding the scope of collective bargaining was passed. However, because of conflict with several other laws, the effect is not clear. Taken by itself, SB-1087 would make everything negotiable except certain pension provisions which are specifically exempted.

2. b. Evaluation of Faculty

California and New Jersey have both experienced significant legal actions related to the evaluation of part-time faculty. In California, legislation providing for the evaluation of instructors is seen as an answer to anti-tenure sentiment. The New Jersey respondent reports that an Assembly Bill (AB-328) passed in 1973 provided for the evaluation and development of staff, multi-year contracts for administrators, and modifying tenure provisions principally by extending the probationary period from three to five years and defining eligibility for tenure. Several court decisions have reaffirmed the right of boards to exercise judgment in evaluating faculty and staff. Also, a Board of Higher Education policy regarding the establishment of reasonable ratios of tenured to non-tenured faculty was challenged and upheld by the New Jersey Supreme Court.

2. c. Part-time Faculty Rights

New Jersey has experienced four court cases regarding rights of part-time community college faculty. Three of these cases concerned the applicability of part-time service toward the probationary period and were referred to the chancellor for hearing. According to the respondent, the ruling in two of the cases and soon probably the third as well, was that part-time service did not apply. These cases are likely to go back to the courts now. The fourth case involved a New Jersey Supreme Court decision pertaining to public schools, but affecting community colleges as well, ruled that boards must provide reasons for non-renewal of contracts even for probationary employees. The California Legislature also recognizes the rights of part-time faculty and has a bill pending which provides for these rights.

3. Governance

Missouri, Mississippi, West Virginia, New Jersey, Puerto Rico

Governance of community/junior colleges has been a consistently recurring legal issue. Most often conflict has arisen over whether or not these institutions were to be local in their emphasis or whether they were to be recognized as state institutions. Four states (Missouri, Mississippi, West Virginia, and New York) have taken positive steps toward resolving this issue. A third state (New Jersey) and a territory (Puerto Rico) are still entrenched in the conflict. Since all of the actions to be reported center around a single issue, this section will not be sub-classified. The actions will be reported and analyzed below by state.

Missouri

In the judgment of the respondent from the Missouri Department of Higher Education, the most significant recent legal action in that state has been the enactment and implementation of governmental reorganization which places the public community/junior colleges under the newly created Coordinating Board for Higher Education. Previously, statewide supervision and coordination of public community/junior colleges had been the divided responsibility of the State Board of Education and the Missouri Commission on Higher Education. In The Second Plan for the Coordination of Higher Education in Missouri for the Seventies, published by the Commission in 1972, it recommended centralization of public community/junior colleges under one office. The Commission believed that the division of responsibility then in effect resulted in inadequate communication between the two responsible bodies, low visibility of community/junior colleges and their inadequate financing. While the Commission felt that public junior colleges should be brought under its purview, the purpose and hopefully the results of placing them under the newly formed Coordinating Board for Higher Education results from similar intentions.

Mississippi

The Mississippi Junior College Commission if a fifty year old coordinating body. Recently the United States Department of Justice attempted to order the Junior College Commission to require certain actions of junior colleges in the state. However, the Commission refused to carry out the order of the Department of Health, Education and Welfare on the basis that it was a coordinating body only with no governing authority or power. The Commission maintained that the junior colleges were fully antonomous institutions each with its own board of trustees which would have to be dealt with separately. This opinion was upheld by a state attorney general ruling reaffirming the local board of trustees as the governing body of junior colleges. The case is now before the federal courts. Significant activities in Mississippi related to this case have been the continuance of the principle and practice of local control of junior colleges in the face of infringement and duplication attempts by the universities in Mississippi. In recent years the state legislature has refused to consider several bills which would have centralized governance of junior colleges by placing them under control of the Board of Trustees of Institutions of Higher Learning or by forming a statewide community college governing board. These bills had been introduced in the name of increased efficiency and effectiveness.

While the bills were unsuccessful, it is reported that there is still some evidence of state authority being exerted upon local junior colleges anyway through agency regulations attached to state monies such as those regulations fostered by the State Commission on Budget and Accounting and the State Building Commission.

West Virginia

The most significant legislative action occurring in West Virginia in recent years was the 1969 enabling legislation that created the West Virginia Board of Regents and which specified that all state colleges and universities would be governed exclusively by the Board. According to the respondent, the Board has made much progress in developing the community college movement in West Virginia. Three branch institutions have been converted into individual community colleges and four four-year colleges and one university have been authorized by the Board to establish community college components.

New York

The most significant recent legislative action reported concerning New York State was identified as the separation of the community colleges sponsored by the New York City Board of Higher Education from those for which the Board of Trustees of the State University of New York has state-level coordinating authority.

New Jersey

While the actions in West Virginia and Missouri which centralized governance of community/junior colleges at the state level will most likely not end conflict between local and state interests, they may reduce the kind of confusion over the local or state nature of community colleges which has occurred in New Jersey. In recent years, two court cases and a Board of Higher Education ruling (which has the force of law) have occurred in New Jersey relating to the governance of community/ junior colleges and thought to be significant by the respondent from that state.

One of the two court cases occurring in New Jersey is clearly a personnel issue, but it is reported to be significant as an example of intrusion into local governance by a court of the state. The case involved six trustees and the president of a New Jersey community college who were held personally responsible in the amount of $10,000 each for their actions (violation of U.S. first amendment rights) in denying a contract to a faculty member who had published an article criticizing the board of the college.

The second New Jersey court case to be reported under the "Governance" classification involves an appellate court decision that, despite the language of the community college law suggesting that community colleges are county colleges, they are not "institutions of the county" and did not address whether they were institutions of the state.

According to the respondent from New Jersey, a continuing question remains concerning the authority of superior bodies (Legislature, board of higher education) to restrict community college fiscal autonomy, particularly in the area of salaries. It was reported that an earlier Board of Higher Education "regulation" establishing maximum salary levels has been replaced by a virtually identically worded "standard" because the former was deemed in conflict with collective bargaining and was unenforceable.

Puerto Rico

According to the respondent from Puerto Rico, postsecondary education in the territory suffers from the lack of a clear, well-defined policy. It would appear that the Puerto Rico legislature supports the centralization of control over its community/junior colleges (regional colleges) and vocational education. Toward this end it has created the Administration of Regional colleges which led to expanding the Regional College System to six institutions and to an increase in their occupational offerings to 25 programs. However, a locally sponsored and autonomous community college has also been established to be operated by the San Juan Municipal Government. The Regional Colleges are authorized to grant associate degrees. A law was enacted authorizing the Secretary of Education to grant associate degrees also to graduates of technical institutes of the Department of Education. Furthermore, a 1202 Commission has been created to administer Titles I, VI, VII and X of the Higher Education Act. In addition, two of the six Regional Colleges have been converted to four-year institutions and the Commonwealth Board for Vocational and Technical Education has been given added authority over technical education. Thus, while the intent to centralize postsecondary education planning and administration is evident, various legislative actions have occurred which, in fact, move toward a decentralization of authority in the Commonwealth.

4. Institutional Growth

Nevada Puerto Rico Tennessee

Respondents in Nevada, Puerto Rico, and Tennessee have labeled the formation of new colleges as significant legal action. Nevada established two new community colleges in 1971--Clark County Community College and Western Nevada Community College. Puerto Rico, as mentioned in the section above, has established six regional colleges and one municipal community college. In Tennessee, it is reported that four community colleges were established and a state technical institute was converted to a technical community college.

5. Coordination

California Kentucky Illinois

Coordination of postsecondary education aimed at reducing duplication of resources and increasing efficiency of delivery to the public is a continuing concern of members of the National Council of State Directors of Community/Junior Colleges. However, only three respondents, California, Kentucky, and Illinois selected legal activity aimed at enhancing coordination as a significant occurrence in the past five years. The basic philosophy of coordination is closely aligned with that of governance which may have resulted in some activities being reported under Governance with could just as well have been mentioned here. Nonetheless, the lack of significance given to activity related to the reduction of duplication and efficient utilization of resources is noteworthy.

California reported the establishment of Regional Occupational Programs (ROPs) and Regional Occupational Centers (ROCs) in Vocational Education, the establishment, in 1974, of the California Postsecondary

Education Commission, and proposed legislation to establish Regional Education Councils as significant action occurring in the past five years.

Perhaps the most interesting significant legislative action is that introduced by Senator Montoya and related to the establishment of regional educational councils. The Bill as it passed out of the education committee, provides for the creation of regional education councils, composed of representatives of local educational agencies, to review and make recommendations of vocational education courses, adult education courses, and community service classes and to prevent unnecessary duplication of such courses within a region. Regional coordination of education programs as a national concern has been documented in a forthcoming national study of regionalism in post-secondary education by Martorana and McGuire.[8] The Montoya Bill stands out from those reviewed in the study, however, because it includes in the text of the bill definitions of unnecessary duplication of courses and services. Other bills with similar purposes merely state that unnecessary duplication will be reduced and provide for mechanism to promote such reduction, but do not define unnecessary duplication as does the Montoya Bill. In section 46154 (a) and (b) of the bill, unnecessary duplication of courses is defined as having occurred.

> "When two local education agencies or programs offer the same vocational or adult course to the same type of student population using similar operational characteristics as to prerequisites, time, or transportation in the same geographical region."

Unnecessary duplication of services is defined by the bill as having occurred.

> "When a local educational agency or program is opened to adults for the first time and draws students from existing approved adult education programs, without mutual agreement."

As in other states, the current fiscal crisis occurring in California resulting in such actions as restricting growth through a percentage limitation on state support funds (see previous subsection on Finance) has made bills such as this one popular among legislators.

In Kentucky, the most significant legislation affecting community colleges is judged to be Senate Bill 54 as passed by the 1972 General Assembly. This bill broadened the powers of the Council on Public Higher Education by providing for the following:

(1) Increases lay (voting) membership of the Council from nine to ten.

(2) Adds the Superintendent of Public Instruction to the Council as a voting member.

(3) Requires as of July 1, 1972, the appointment of new lay membership of the Council by the Governor without precluding the reappointment of present members.

(4) Renames Kentucky State College as Kentucky State University.

(5) Requires Council approval of all instructional capital construction projects in excess of $100,000.

(6) Requires Council approval of all gradaute degree programs and professional school programs.

(7) Removes Council staff from state classification system.

(8) Directs the Council to prescribe manner in which budget requests of the institutions will be prepared.

(9) Provides an appropriation of $227,500 for 1972-73 fiscal year and $258,600 for 1973-74 fiscal year.

In Illinois a significant piece of legislative action this year provided for cooperative endeavors between public schools and community colleges for vocational-technical programs regarding facilities and various technical provisions.

6. Legislative Support

Arkansas Utah Texas
Illinois Wisconsin

Legislative support in the form of 1.1 strong basic legislation or 2.1 other legislative action strengthening the legal basis of community/junior colleges is understandably significant to State Directors of Community and Junior Colleges.

6. a. Basic Legislation

The most significant legal action occurring in Arkansas in recent years has been Act 103 of 1973 which authorizes the establishment of community colleges as provided in Amendment 52 of Arkansas State Constitution, adopted by the electorate in 1964. The Act provides for a method of establishing community college districts, for the selection of governing boards and the levy of taxes. The Act establishes a strong basis for community colleges with both state and local efforts.

The Utah System of Higher Education, including three public community colleges and two technical colleges, is governed by a single board, the State Board of Regents. Certain powers, however, are delegated by the Regents to local institutional councils. The basic nature of this system was supported by the legislature in 1969 with the passage of the Utah Higher Education Act, followed by a 1973 Utah Supreme Court decision upholding the constitutionality of the Act.

6. b. Strengthened Legal Base

In Illinois, two legislative actions occurred since 1973 which have resulted in a stronger legal position for public community/junior colleges in the state. The first of these was the establishment of independent community college districts throughout the state. The second was the transfer of statutory language from Common School Act to the Community College Act.

The respondent from Wisconsin reports that the most significant legislative decisions in recent years were those which provided for placing every citizen in the state into a vocational, technical and adult education district as opposed to a city school concept, and legislation allowing the State Board of Vocational, Technical and Adult Education to merge districts.

In Texas, Senate Bill 358 of 1973 gave statutory recognition for the first time, to the purposes of public community colleges.

7. Integration with Four-year Colleges

Delaware Puerto Rico

One state and one territory noted that significant action had occurred which resulted in a closer integration of community colleges with four-year institutions.

Community colleges in Delaware have experienced general legislative approval to become recognized as lower divisions of higher education with all credits accepted at four-year colleges.

In Puerto Rico, regional colleges, which are similar to community colleges, are gradually being converted into four-year institutions. Two of six regional colleges have already been converted and the respondent from Puerto Rico reports two more may be converted soon.

8. Miscellaneous

Florida Illinois California Texas

This category includes legislative activity which is significant but idiosyncratic. That is, they are unrelated to any other actions reported in the above seven categories.

In California, three of the nine important actions occurring in the last five years are included in this last classification. First is the exemption of off-campus educational sites from earthquake safety standards legislation. It was reported that the California Community and Junior College Association actively supported this exemption. The affect of the legislation is that buildings or structures on a campus or district headquarters site not meeting earthquake standards criteria had to be torn down or replaced by July 1, 1975 but that off-campus sites or buildings not owned by the district were exempt from the legislation. Second is the recent legislation providing financial aid to veterans, disadvantaged and other special groups increased enrollments by "paying students to go to school." This has resulted in expanded programs and income for colleges. The respondent warns, however, that the reverse impact will be felt when this type of legislation runs its course. Thirdly, California, some new accreditation regulations of significance was reported.

In Illinois, legislation changing the official designation from junior college to community college was reviewed as a significant change in that state. In Florida, one of three significant actions occurring there was the enactment of the Administrative Procedures Act governing the adoption of rules by all public agencies including community and junior colleges.

Texas reported two additional significant actions. Growth of public junior colleges in Texas received a boost in 1971 with the passage of authorizing legislation for the establishment of out-of-district branch campuses, centers, and extension facilities. The respondent from Texas also noted as significant, the passage in 1975 of enabling legislation permitting the coordinating board of the Texas College and University System to assume on a contractual basis the leadership role and administrative responsibility of the State Board of Vocational Education for state-level administration of technical-vocational education programs in public community colleges, public technical institutes and other eligible public postsecondary institutions.

9. No Significant Action

Kansas
Arizona
Canal Zone
Rhode Island

All of the respondents in these four states reported that no legislative or related activity significantly affecting community and junior colleges had occurred in their states during the time span indicated.

IV

STRENGTHS AND WEAKNESSES OF THE LEGAL BASIS OF COMMUNITY AND JUNIOR COLLEGES

The basic request for information from the state directors asked each to identify the feature believed to be the strongest and that thought to be the weakest element in the state's legal basis for community and junior colleges.

Strengths

Of the 43 state directors responding to the survey, 21 replied to the first part of the question and identified the feature of the legal basis for community and junior colleges believed to be the strongest in their states. These 21 responses can be put into five separate categories of recognized strength: 1) constitutional or statutory authority of state boards; 2) autonomy of local boards; 3) strong identification of local government with community colleges; 4) comprehensive nature of the community colleges; 5) balance of statutory authority between local community college districts and state community college boards. An elaboration of the nature of each of these areas of generalization follows below.

1. Constitutional or statutory authority of state boards

Georgia
Nevada
Puerto Rico
Virginia
Wisconsin
Wyoming
Kansas
Illinois
Oklahoma
Tennessee
Texas
W. Virginia

The community colleges of Georgia and Nevada are governed by constitutionally authorized state boards. The community colleges are part of the university system in Georgia where they are governed by a constitutional board, and in Utah and West Virginia where state boards have statutory authority. In Nevada, the Board of Regents which governs community colleges has constitutional authority as a result of 1974 legislation. All community colleges in Oklahoma, with one exception, are now full fledged members of the system operating under the Board of Regents for Higher Education. The state directors in Illinois, Kansas, Puerto Rico, Tennessee, Texas, Virginia, Wisconsin, and Wyoming all believe that the nature of the statutory authority and legislative support provided their respective state boards and their community colleges provides strength for their community colleges.

2. Autonomy of Local Boards

Florida
Delaware
Maryland
Missouri
Mississippi
Ohio
Pennsylvania

The state directors in Florida, Delaware Maryland, Mississippi, Missouri, Ohio, and Pennsylvania believe the strongest feature of the legal basis for community colleges to be the large degree of authority granted to local community college boards, resulting in colleges responsive to local interests.

3. Strong Identification of Local Government with Community Colleges

New Jersey
New York

In the opinion of the respondents in these two states, the community colleges are helped greatly by the strong ties with local governmental units which derive from coterminous county and community college districts and the fiscal interrelationships of these localities and the colleges. County sponsorship of community colleges is the predominant pattern in both New Jersey and New York.

4. Comprehensive Nature of Community Colleges

Arkansas

In Arkansas, the strongest feature of the legal basis for community colleges is the concept of the community colleges as totally comprehensive institutions. This means that these institutions are expected to offer general liberal education and occupational education as well as specialized service to their local communities. The state's basic community college legislation passed in 1973 provides for comprehensive community colleges.

5. Statutory Balance of Local and State Authority

Washington Arizona

The strongest feature of the legal basis for community colleges in Washington is reported to be the balance of authority between local districts and the state board as provided for by the basic community college legislation of 1967 which delineates the functions of both. In Arizona, authority for community colleges is divided between a separate state community college board appointed by the Governor and local boards elected by the people of each college district.

Weaknesses

Of the 37 state directors who have responded to the initial survey, 14 indicated what, in their judgment, was the weakest feature of the legal basis for community and junior colleges in their states. Their judgments can be grouped into seven different categories including: 1) political nature of trustee appointments; 2) lack of local financing; 3) erosion of local autonomy; 4) failure of state regulations to reflect unique nature of community colleges; 5) state legislation; 6) lack of state control over student fees; 7) unclear constitutional basis.

1. Political Nature of Trustee Selection

Florida Delaware New Jersey

The state directors in Florida and New Jersey believe that selection of local trustees on the basis of political criteria such as "representativeness" rather than on the basis of expertise and interest presents the danger of making these boards ineffective. This is true, especially in light of new demands being placed on the boards by new legislation such as Florida's collective bargaining laws and its Administrative Procedures Act. The state director of Delaware believes ineffective boards are a potential weakening factor but points out that this has not actually occurred yet in his state.

2. Financing

Utah Pennsylvania
Arkansas Wyoming

The state directors of Arkansas, Wyoming, and Utah report that community colleges in their states are wholly state funded. They believe this dependence on state funds could result in a system of "state" institutions rather than ones responsive to local needs.

It was reported from Pennsylvania that the weakest feature of community colleges there is the reimbursement formula which does not consider local wealth. Some 40 percent of Pennsylvania's population have no community colleges and a majority of this population resides in areas not having sufficient local wealth to contribute its one-third of operating funds and one-half of capital and not exceed a statutory limit of 5 mills of market value. Many of these population centers are searching for ways to provide community college types of services including the use of existing resources like senior colleges. These activities, it was reported, seem to indicate present need and future potential.

3. Erosion of Local Autonomy

Kansas Maryland Washington West Virginia

The state directors in these states report a concern over the erosion of local institutional autonomy as a result of legislative action. The causal factor, according to reports from Kansas, Maryland, and Washington appears to be the mandated functions assigned by the statutes to the state boards which force them to assume extended power even when these extensions are not sought. The consequent confusion of power and reporting requirements of a "red tape" nature associated with state boards and the "myriad of" other state agencies with review responsibilities for community college programs represent the described concern for local autonomy. In West Virginia, the erosion is resulting from increased legislative control. Most recently, it was mandated that no new institutions would be formed without legislative authorization.

4. Failure of State or Municipal Regulations to Reflect Uniqueness of Community Colleges

Nevada North Dakota

The respondent from Nevada reports that occasionally community colleges come under the same policies as universities which make their administration difficult. In North Dakota, community colleges are governed by local school boards which also govern grades 1-12. In this instance, the concern expressed is for an appropriate separation of concerns between community college and public school interests.

5. State Legislation

Missouri Puerto Rico Mississippi

The Missouri respondent believes there is a lack of commitment in the community college law to a statewide system. In Puerto Rico, while legislation authorizes a system of regional colleges, the respondent believes that the responsibility and philosophy of these colleges is not clearly defined by the law. In Mississippi, two special junior college districts have been created which are not covered by junior college codes. In Illinois, the weakest feature of the legal basis for community and junior colleges is caused by strong rather than weak legislative commitment. The problem in Illinois is that its community college code is too detailed, requiring frequent amendments to keep up to date with changing conditions. A more broadly phased, less definitive statute is viewed to provide more flexibility.

6. Lack of State Control Over Student Fees

Ohio

In Ohio, there is no limitation on student fees or the portion of student fees spent to support faculty salaries. With the coming of collective bargaining and salary increases which usually result, it is reported that some of Ohio's community colleges will be forced to raise faculty salaries by raising student fees. All community colleges receive state funding on the same basis regardless of whether or not they have a local tax. Community college student fees have always been lower in districts partially supported by local tax revenue.

7. Unclear Constitutional Basis

Texas

The weakest reported feature in the legal basis of junior colleges in Texas is the lack of any clear constitutional basis for the existence of junior colleges, their districts, and/or their taxing and bond-issuing authority. In the absence of this, there is a rather tenuous web of attorney general rulings, legislative enactments, and court decisions on which "the entire public junior college enterprise somehow manages to rest--quite paradoxically and often times inconsistently, as an integral part of the public school system." This situation might have been alleviated by three constitutional amendments put before the electorate on November 4, 1975 which proposed to provide specifically for "community junior college districts" and for their taxing and bond-issuing authority. All of the proposed amendments, however, failed to pass.

V

IMPLEMENTATION OF COMMUNITY COLLEGE ADVISORY COUNCILS TO "1202" POSTSECONDARY EDUCATION PLANNING COMMISSIONS

Of the 37 state directors responding to the survey, 19 responded to the question about the establishment of officially recognized community college advisory councils to state "1202" postsecondary education coordinating commissions. These councils are mandated by Title X of the Higher Education Amendments of 1972. Of the 19, 16 reported no advisory council had been established.

Official Actions

Alabama, Michigan, and Washington report the establishment of community college advisory councils. The following are summaries of information received related to the advisory councils in these three states.

ALABAMA

Alabama's "1202" Commission has established a Community and Junior College Advisory Council. The Council consists of representatives from junior and senior colleges, the Commission on Higher Education and State Department Personnel. The Council has sponsored a bill written for the State Assistance Program. It is now gathering information to make recommendations for statewide planning.

MICHIGAN

The Michigan State Board of Education has been designated that state's "1202" Commission. Serving in an advisory capacity to that board is the State Board for Public Community and Junior Colleges.

Authorized by the 1963 constitution, its legislative mandate is to "advise the State Board of Education concerning general supervision and planning for public community and junior colleges, including requests for annual appropriations for their support." The membership on the board consists of eight members appointed to overlapping terms by the State Board of Education.

WASHINGTON STATE

The State Board for Community College Education has established an Advisory Council on Community College Planning to support the Council's long-range planning program and the Council on Higher Education, as the "1202" Commission; the latter has recognized the Advisory Council as the body that satisfies the Title X (A) (1) requirement. As a planning group, the Advisory Council is expected to recommend to the State Board those system-wide priorities that should be addressed by the community college state and district-level planning, policy and budget processes. The Advisory Council is presently addressing the following eight issues: 1) quality; 2) open door admissions; 3) comprehensiveness; 4) innovation; 5) community service; 6) management policy; 7) involvement; and 8) staff commitment. The Advisory Council's membership is composed of the State Director and two State Board members; two representatives each of community college presidents, trustees, faculty and students; a representative from each of three state planning groups; a representative from private and four-year segments of postsecondary education; a representative of labor, business, agriculture and the general public for a total of 20 members.

Unofficial and Possible Actions

In reply to this part of this survey, Kansas Virginia, and Oklahoma reported some approaches toward advisory council activities similar to those of Alabama, Washington, and Michigan but not officially recognized as Advisory Councils to "1202" Commissions. For instance, the presidents of all 14 community colleges in Oklahoma meet frequently with the Chancellor and staff of the State Regents ("1202" Commission) to review areas of common interest and concern. In Kansas, a community junior college Advisory Council is in operation. The Council's membership consists of 11 appointed members representing all segments of postsecondary education, secondary education, labor, business, industry, agriculture and the professions.

Two other states, West Virginia and Wyoming, indicated that greater interest had been shown recently in advisory councils of the kind involved in planning activities. Their reports indicated, further, that tentative plans for the organization of such councils were underway.

VI

SUMMARY AND CONCLUSIONS*

Not since Martorana's 1966 work, State Legislation Relating to Higher Education, has a study similar to this been conducted.[9] The information on specific state legislative enactments reported herein seems to fall short of the earlier U.S. Office of Education reports in completeness and data reliability, but this is very likely due to complex logistical problems involved in getting the project started with the limited resources available to the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education to get it done. This report, however, does represent a reinitiation of what should be an ongoing study of the nature and impact of state legislation relating to postsecondary education and more explicitly community colleges. Beyond this, it makes another bold step forward in the attempt to expand and improve understanding of the general public policy framework within which the community colleges operate in each of the 50 states and the territories of the United States. It looks beyond simply the legislation to related issues raised by the federal government and other official bodies.

---

*This concluding section was initially drafted by Donald C. Hambrick, Director of External Affairs, College of Business Administration, The Pennsylvania State University, as part of an independent study project performed under the direction of S. V. Martorana

What Might Be Expected?

Despite the fact that no recent thorough studies have been conducted which shed light on legislative actions, several pieces do present some indication of legislations' concerns about postsecondary education. These pieces will be discussed here briefly to provide perspective for the concluding statements which follow. To a great extent, the writings that will be discussed embody the rhetoric of public policy toward postsecondary education; that is, they are based on opinions or are, in themselves, essays. Still, they provide a helpful transition from the earlier Martorana research to the present.

Eulau and Quinley's 1969 book perhaps comes closest to measuring state legislator concerns about postsecondary education.[10] Their in-depth interviews of state officials resulted in the following findings of salience to the present discussion. In general, the state legislators surveyed felt. . .

. . . that legislative control should be limited to budgetary matters.

. . . that money is a major problem.

. . . that private education faces dire problems.

. . . that academics are underworked and overpaid and that research is a luxury.

. . . that serious financial and political problems will beset higher education in the not distant future.

The question of coordination vs. competition has been answered on both sides. Millett, reflecting on his eight years as the first chancellor of the Ohio Board of Regents, argues that since the best interests of a particular state school may or may not coincide with the best interests of the state government, coordination is critical and will grow.[11] Newman, in a 1973 article, expresses the opposite stance, saying, ". . . most of higher education needs little or no coordination at all."[12] The goal of diversity, best achieved via competition, is paramount for Newman. To which position do state legislatures subscribe?

Ashworth discusses the federal impact both on state actions and institutional autonomy.[13] His observation is that much of state legislation is reactive in the face of federal actions toward postsecondary education.

These few writings form an interesting backdrop for several conclusions which can be drawn from this report. The conclusions will be stated as answers to the following research questions which guided the collection of data for this report.

1) What are the topical areas of concern?
2) How are legislatures answering the question of coordination vs. competition?
3) Are efficiency and management accountability prime legislative topics?
4) Is legislation directed at the support of private postsecondary education?
5) Are legislatures attempting to set academic policy?
6) Are the state actions affecting postsecondary education directed at postsecondary education, or is postsecondary education an "innocent bystander" in broad "state agency" actions?
7) Are the state actions reactions to federal actions?
8) Are the actions significant policy actions, or minor administrative actions?

1. What are the topics of concern?

A summary view of the main areas of interest to state legislators was given by the data in Table 2. The 30 states and Puerto Rico reporting legislative activity are included, and the proposals advanced were shown as well as those enacted. Defeated measures, however, were not included. Some highlights gleaned from the more detailed discussion of Table 2 in Section I are:

- Except for funding actions, bills involving the state's administration of postsecondary education are most common. Such bills include altering of legal bases of institutions, provisions for inspections, bi-state agreements, and so on.
- Continuing concern about statewide coordination is quite evident in the legislative activity.
- Personnel benefits are a frequently-observed topic.
- Provisions dealing with administrative and fiscal procedures are quite common: such actions would involve purchasing, mechanisms for fund transfers, building standards and the like.

2. How are legislatures answering the question of coordination vs. competition?

The number of actions directed at statewide coordination give some indication of legislatures' interest in the effort as a means to rationalization and efficiency. However, a number of the measures, while dealing with coordinating mechanisms, do not, in themselves, result in heightened coordination activity. Clearly, the impact of the 1965 and 1972 Federal Higher Education Acts are felt in this category.

Further, a number of state actions can be identified which heighten competition. These include mechanisms for aid through students, strengthened legal bases of community colleges, provisions for program expansions at some schools, and so on. The net effect is that legislatures, while committed to statewide coordination, are striving to maintain at least a degree of the institutional competitive element in the postsecondary education arena.

3. Are efficiency or management accountability a prime legislative topic?

Given Eulau and Quinley's findings of legislative concern for efficiency and slack faculty workloads, we would expect to find substantial evidence of efficiency measures. Such is not really the case. Not a single measure reported appears to clearly establish an incentive system for efficiency. Very few of the legislative actions are directed at heightened efficiency. Only one is directed at management accountability--a Florida law providing for no conflict of interest among higher education administrations.

Of course, many of the states' actions, especially via statewide coordination, are in the general direction of improved efficiency but do not, in themselves, promote efficiency. The over-riding observation is that, at least as evidenced in the official policy direction set in state laws, legislatures are not preoccupied with efficiency and management accountability in postsecondary education. This, it would seem, is in direct contrast to the posture and pressure often expressed by executive offices of state government where concern about fiscal and management accountability is the common observation.

4. Is legislation directed at the support of private higher education?

Only 12 actions qualify as being directly supportive of private education. These include aid-through-students actions in Arizona, Connecticut, Hawaii, Illinois, Michigan, Mississippi and Texas and an act providing funds-per-degree-granted to private schools in Michigan.

The Mississippi Law was not funded by the legislature. This sparse evidence of support or concern for private schools indicates that five years after Eualu and Quinley, legislatures have not moved from concern at a strictly rhetorical level.

5. Are legislatures attempting to set academic policy?

The answer to this is a strong "no." Only 11 actions can be considered attempts to deal at an academic policy level. Three exemplary actions are:

- A Hawaii resolution that environmental education should become an essential thrust of curricula in the University of Hawaii and community colleges(*H.R. 432 of 1974).
- An Oklahoma act establishing Economic Education Centers in postsecondary education institutions (Part III, Section 215).
- A Tennessee law requiring that no baccalaureate be granted from a state school unless the student earns six credits in American History (H.B. 1877 of 1974).

6. Are the state actions affecting postsecondary education directed at postsecondary education?

Of the total actions reported as affecting postsecondary education, approximately 20 percent were not directed at postsecondary education, but rather were broad "state agency" actions. These include collective bargaining actions, personnel benefit actions, building construction provisions, etc. The significant level of non-postsecondary education actions impacting the sector should give postsecondary education advocates cause for concern, or at least prompt an on-going vigilance to the impact of all legislative action.

7. Are the state actions reactions to federal laws?

This is a more difficult question to answer, since the motive for a law is rarely included in its wording. The evidence gathered in this study suggests that federal influence is strongest upon the states in two areas, student financial aid (including benefits for veterans) and statewide coordination and planning. It seems certain also that a number of appropriations bills are reactive to federal law--either in direction or quantity of appropriation. In addition to such appropriations bills, ten state actions could be identified as clearly responsive to federal initiatives.

- 8 actions relating to veterans benefits.
- 3 actions involved bringing coordinating boards into line with "1202" Commission requirements of the Federal Higher Education Act of 1972.
- 3 actions involved provisions for administering federal aid to students.
- 2 actions involved provisions for administering federal aid to institutions.
- 1 Colorado action involved establishment of an Energy Research Center in response to availability of federal funds for such activity (Chapter 95).
- 1 Iowa Action provides for administration of federal funds for vocational education youth organizations (House File 478).

8. Are the actions significant policy actions, or minor administrative actions?

The criteria for answering this question are elusive and certainly subjective. The researchers pose the following criterion for labeling a legislative action as a "policy" action: Does the action have the potential to significantly affect the nature and availability of postsecondary education in the state?

This criterion does lack precision, and, coupled with possible judgmental classification errors, lacks scientific reliability. However, it is felt that even this crude classification scheme sheds some light on the significance of state legislative actions impacting post-secondary education.

Based on the classification system described, 56 percent of all reported actions (including all appropriations actions) can be considered policy actions. Forty-four percent are administrative actions.

Perhaps the best way to highlight this dichotomy is to provide examples of actions in each category:

Policy-type actions

- California action in the form of administrative law, placing a "cap" on enrollments on which state financial support is calculated (Reported in Section III, Significant Actions).
- A Florida bill authorizing the establishment of area councils for community educational services representing all post-secondary education in community college districts (S.B. 1003).
- A Florida law providing for right of employees to refrain from joining a union (H.B. 2028).
- A Missouri bill changing the state aid-to-institutions formula (S.B.'s 102, 281 of 1975).

Administrative actions

- A Missouri bill allowing non-teacher employees of public junior colleges to be a part of the non-teacher school retirement system.
- A North Dakota law requiring community colleges to be inspected by the Board of Higher Education annually in order to qualify for state aid (S.B. 2023 of 1975).
- An Oklahoma law providing that the Board of Regents shall be housed rent free by the State Board of Public Affairs until permanent quarters are provided.

Conclusions

The results of this study of 1973-1975 state legislative actions relating to community college education point to the following conclusions:

- Statewide coordination, state administration of postsecondary education, and institutional administration are the most common actions.
- Legislatures are selectively working in both directions on the coordination vs. competition continuum.
- Efficiency and management accountability are not primary foci of many legislative actions.
- Little legislative action is directed explicitly at the support of private schools.
- Legislatures are not attempting to set academic policy.
- A moderate number of actions can be considered reactions to federal actions toward postsecondary education.
- Approximately 56 percent of the actions can be considered "policy" actions; about 44 percent are lesser "administrative actions."

References Cited

1. Page 1 of this report--Martorana, S.V. and Brandt, Jeanne D. *State Legislation Relating to Higher Education, Janaury 1, 1964.* OE-50008-64. Washington: Government Printing Office, 1966. 150 pp.

2. Page 2 of this report--Martorana, S.V. and others. *Survey of State Legislation Relating to Higher Education.* United States Office of Education, 1957 through 1964, OE-5008-57 through OE-5008-64.

3. Page 18 of this report--Martorana, S.V. and McGuire, W.G. *Regionalization in Postsecondary Education: A Preliminary Report of a Continuing Study.* Center for the Study of Higher Education, The Pennsylvania State University, University Park, Pa., (forthcoming).

4. Page 21 of this report--Martorana, S.V. *op. cit.*

5. Page 28 of this report--Seman, Philip, "Laws of Faculty Bargaining," *The Chronicle of Higher Education.* Vol. 10, No. 6, p. 1.

6. Page 33 of this report--*Financing Part-time Students,* American Council on Education, Washington, D.C., 1974.

7. Page 33 of this report--*Accredited Institutions of Higher Education, 1971-72*, as quoted in Orlans, Harold, *Private Accreditation and Public Eligibility*, Lexington Books: Lexington, Mass., 1975.

8. Page 53 of this report--Martorana, S.V. and McGuire, W. Gary, *op. cit.*

9. Page 69 of this report--Martorana, S.V., *op. cit.*

10. Page 70 of this report--Heinz Eulau and Harold Quinley, *State Officials and Higher Education*, 1969.

11. Page 71 of this report--John D. Millett, *Politics and Higher Education,* 1974.

12. Page 71 of this report--Frank Newman, "Autonomy, Authority, and Accountability," *Liberal Education*, March 1973, pp. 13-27.

13. Page 71 of this report--Kenneth H. Ashworth, *Scholars and Statesmen,* 1972.

APPENDIX A

DIGESTS OF STATE LEGISLATION RELATING TO HIGHER EDUCATION

January 1, 1973 to September 1, 1975

Arrangement

The items of legislation for each state include both those enacted and those proposed. Within each group the order of items is numerical. Chapter or act numbers are by Senate Bill and House Bill numbers depending on the information provided by the respondents.

ALABAMA (1)

Legislation Enacted-1974

1-1 New Institutions Establishes Chattockoochie Valley Community College.

1-2	Appropriation	FY 1974	$16,852,581
		FY 1975	$18,969,252

ARIZONA (3)

Proposed and Enacted Legislation-1975

3-1 Executive Director of Community College Board (S.B. 1068) Amends previous legislation by providing that the title of Executive Secretary for Community College Board be changed to Executive Director.

3-2 District Elections (S.B. 1069) Amends provision that the District Boards shall designate not less than two polling places when bond elections are held for capital outlay purposes.

3-3 Legislative Determination of Salary (S.B. 1073) Amends previous legislation to include community college employees with university employees as being exempt from legislative determination of compensation.

3-4 District Mergers (S.B. 1074) Provides procedures and organizational requirements to establish joint community college districts by merging contiguous counties or sections of contiguous counties with an existing district.

3-5 Collective Bargaining (S.B. 1158) Amends previous public employee collective bargaining law to include professional school employees including community college faculty. Provides for rights of employees and their organizations; selection of representative and ability to present informal individual complaints outside of collective bargaining process; procedures for requesting recognition of collective bargaining unit; procedures for dealing with impasse, use of mediation; fact finder, recommendation and costs; outlines several unlawful acts of employer and employee.

3-6 Capital Appropriation (S.B. 1267) Appropriates $500,000 to State Board for Community Colleges for capital outlay costs at Aravaipa Campus of Pinal Community College district.

3-7 Student Aid (S.B. 1350) Appropriates $175,000 to State Board for Community Colleges and $175,000 to Regents for matching federal monies available for needy students under the Federal State Student Incentive Grant Program.

3-8 Bidding Regulation (H.B. 2144) Amends previous legislation by deleting limitation on purchase of equipment and supplies without bid so that such equipment purchases may be purchased by central purchasing authority. Includes community colleges.

3-9 Extension of Retirement Date (H.B. 2151) Authorizes Personnel Board to adopt rules to be followed for continuation of employment beyond normal retirement date of certain state employees.

3-10 Student Aid (S.B. 1282) Establishes Arizona Student lending authority to administer Federal Student loan program; procedures for disbursing funds to qualified students; duties of the fiscal agent of the authority; reimbursement to financial aid offices of funds expended in carrying out provisions of this act; authorizes issuance of volume bonds to cover any needed loans not covered by student loan fund.

3-11 Appropriation (H.B. 2325) Provides $2,650,000 appropriation ($2,100,000 for operating expenses; $550,000 for capital outlay) to State Board of Directors for Community Colleges for disbursement to community colleges.

ARKANSAS (4)

Enacted Legislation-1975

4-1 Basic Legislation (Act 103) Authorizes establishment of community college districts as needed and provides for their financing. Buildings to be locally financed, operations to be state financed. Establishes State Community College Board to coordinate community college activities with other educational institutions in state; to establish procedures for establishing community colleges; to review appropriation requests; to certify "comprehensiveness" of community college programs. Also outlines duties of local boards.

4-2 Public Higher Education Institutions as State Agencies (Act 5 of 1975) Defines a "State Agency" and includes state supported institutions of higher education in definition. Provides for state control of all cash funds for these agencies, excluding gifts or endowments not used for operating expenses. Allows higher education institutions to determine how cash balances will be invested.

4-3 Limits on Expansion (Act 21) Provides that an "unlimited" number of districts be forestalled by requiring, after eight have been created, that legislative action to provide for costs be accomplished prior to establishment of more districts.

4-4 Funds Exempt from Requirement for Appropriation (Act 265) Exempts monies received from any millage levied by a community college district from appropriation requirements as required by Act 5 of 1975.

4-5 Cash Funds Expenditures (Act 508) Appropriates for salaries and operating expenses from cash funds resulting from local revenue (example--tuition) as required by Act 5 of 1975 for Garland County Community College for Biennial period ending June 30, 1975.

4-6 Tuition Waiver for Senior Citizens (Act 678) Waiver tuition and fees for anyone over 60 years of age at all state supported institutions of postsecondary education.

4-7 Off-Campus and Extension Courses (Act 717) Authorizes existing state supported institution of postsecondary education to offer extension courses in communities in areas served by the institution in an effort to improve and expand higher educational opportunities.

4-8 Salary Appropriation with Attached Controls (Act 770) Appropriates funds for salaries of Westmark Community College Personnel. Salary limits are imposed in a 10 percent limit on annual raise. Requires Westmark's personnel classification system to incorporate state's uniform classification and compensation Act.

4-9 Appropriation Bill for One Community College (Act 772) Appropriates the following funds for biennial ending June 30, 1977:

1975-76	1976-77
$931,158	$1,042,558

CALIFORNIA (5)

First Regular Session

December 1--September 15, 1975

5-1 Field Act (S.B. 276) As amended exempts all "offsite," leased or rented buildings from Field Act while not specifying that Board members are personally liable for damages. Does not affect the validity of any action taken prior to the effective date of this bill.

5-2 Flexible Calendar, Varying Census Dates (A.B. 2232) Would provide for a minimum instructional year of 160 days, but would retain a minimum academic year for instructors of 175 days. As amended, a 175-day academic year will be the base for state apportionment. The difference between 175 days and 160 days could include but not be limited to, course instruction and examination, student personnel services, learning resource services, and staff development. Would eliminate current census week regulations and provide: (a) For full session-length courses (semester or quarter) a census of students on the day nearest one-fifth of the way through the term, and (b) For courses for longer, or shorter periods than measured by a census of students enrolled the meeting date nearest one-fifth the way through the course.

5-3 Non-Resident Tuition Exemptions (S.B. 82) As amended would terminate the exception allowing any district which during the 1962-63 school year had more than 15 percent of its students as residents of another state from charging non-resident tuition, and would establish an exception allowing any district bordering on another state, and having less than 500 a.d.a. to not charge non-resident tuition. Written for Palo Verde Community College District. Also makes technical changes for quarter-system colleges.

5-4 Nondistrict Territory (S.B. 112) Would allow the territory under jurisdiction of the County Superintendent of Schools of Modoc County that extends into Siskiyou County, and the territory under the jurisdiction of the County Superintendent of Schools of Sierra County that extends into Plumas County to be exempted from being in a Community College district when such residents account for less than 250 a.d.a in a Community College the prior fiscal year.

5-5 Lease Purchase Agreements (S.B. 267) Under existing law, a district is liable for any payments under a lease or lease-purchase agreement, even if a portion of the district is later transferred from the district. This bill would require that the acquiring district assume and pay (to the original district) a proportionate share of the remaining payments due under the lease or lease-purchase agreement. Opposition is based on established procedures for handling outstanding bonded indebtedness. An urgency bill.

5-8 Per Diem for CPEC Members (A.B. 76) Would require a $50 per day stipend to be paid each member of the California Postsecondary Education Commission for each day he or she attends any valid meetings of any committee or sub-committee of which he or she is a member.

5-9 Annual Board Organizational Meetings (A.B. 166) Would permit annual organizational meetings of Community College governing boards to be held in a 15-day period that commences with the date upon which governing board member elected in a year in which the date upon which governing board member elected in a year in which a regular election for governing board members is conducted takes office. In years in which no regular election for governing board members is conducted, this bill would require the organizational meeting to be held during the same 15-day period on the calendar. An urgency bill.

5-10 Enrollment of Handicapped Students (A.B. 174) Would make enrollment for the developmental centers for the handicapped a first-come, first-serve propositon, disregarding whether the pupil is living with a parent/guardian.

5-11 Grants for Nursing Students (A.B. 209) Would require the State Scholarship and Loan Commission to recognize for the occupational education and training grant program, applicants enrolled in three-year hospital-based programs (approved by the Board of Registered Nursing) that train R.N.'s. It would also permit these enrollees to receive grants for maximum of three years.

5-12 EDP Services (A.B. 1481) Would allow Ventura Community College District to renegotiate its current data processing service contract (to accommodate an additional campus) without submitting a new contract to public bid.

5-13 Non-Resident Tuition (A.B. 2058) As amended would change the procedure for determining non-resident tuition to allow districts to set non-resident tuition according to its own average cost per student or the statewide average cost per student. The net result would be a leveling of non-resident tuition and would specifically benefit districts with a high average cost per student at no state costs.

5-14 StartingWork on Construction Project Prior to State Funding (S.B. 616) Would allow Community College districts with projects approved by Chancellor and Department of Finance to proceed with construction and be considered for retroactive reimbursement from the state if and when funds become available.

5-15 Deficit in Construction Act (A.B. 1406) As amended would appropriate $100,000 for prior year expenditures to augment Budget Act of 1970.

5-16 Student Health Fees (A.B. 1571) Would permit extension, on a pro-rata basis, of health services fees to include part-time students.

5-17 State Level Administration (A.B. 1031) Re-constitutes State Scholarships and Loan Commission as a new Student Aid Commission and simplifying all state student aid.

5-18 Construction Bonds (S.B. 156) As amended would establish the Community College Construction Program Act of 1976 and would provide $100 million to meet the needs of Community Colleges for building construction, equipment, and site acquisition, for a four-year period commencing with fiscal year 1975-76. The $100 million was intended as a stop-gap amount until the Board of Governors took formal action on the proposal. The bill will likely be amended to reflect an amount approximating the $270 million that the Board recommends.

5-19 Regionalization (A.B. 1821) Amends previous legislation by combining Adult Continuing Education Coordinating Councils with area Vocational Education Committees to form Regional Education Councils no smaller than a community college district to review and recommend to local boards approval of occupational and adult education courses and programs and to prepare plans for short term improvement of Vocational and Continuing Education programs.

COLORADO (6)

Legislation Enacted-1974

6-1 Area Vocational/Technical Schools (Chapter 92) Adds AVT schools to junior college districts exempted from a January 1-December 31 fiscal year requirements.

6-2 Investment Powers of Boards (Chapter 94) Repeals 124-2-30 Colorado Revised Statutes of 1963 concerning investment powers of the regents of the University of Colorado. (No more information available)

6-3 Energy Research (Chapter 95) Amends previous legislation by creating School of Mines Energy Research Institute. Outlines duties of institute, establishes advisory council on energy and energy related minerals research. Appropriates 2,860,000 to the institute of which 910,000 is state and 1,950,000 is federal.

6-4 Veterans Tuition Waiver (Chapter 96) Amends previous legislation by adding new section. Provides for waiver of 1/2 tuition for Viet Nam era veterans (8/5/64-8/5/73) who were residents at time of enlistment excluding service academy duty or reserve duty. Benefits extend for period of eight years from conclusion of enlistment period or by 8/5/81.

6-5 Area Vocational/Technical Schools (Chapter 97) Includes Aurora Tech Center in definition of area vocational schools and appropriates $189,000 to the school.

6-6 Auraria Higher Education Center (Chapter 98) Amends previous legislation by adding a new section providing for the establishment of Auraria Higher Education Center. Provides land, facilities, funding; established new governing board and duties, powers of board; provides tax exemption status and prohibits certain debts.

6-7 State Regents Basic Legislation (S.B. 568) Abolishing State Education Commission and places its function under the State Board of Regents; prescribes authority, function, powers and duties of the Board under federal higher education Act of 1965.

First Regular Session

Enacted Legislation-1975

6-13 Personnel Benefits (H.B. 1227) Distinguishes student teachers from other noncertified employees of a school district with respect to workmen's compensation and other benefits.

6-16 Personnel Rights (H.B. 1234) Provides basic requirements for notice and hearing in cases of dismissal and nonrenewal of contract or reduction in force for full-time faculty members at state institutions of higher education (excluding CU, CSU, CSM and UNC).

6-14 Trustees (H.B. 1232) Provides for student members as advisors (non-voting) on the governing boards of state colleges and universities and appropriates to the Commission on Higher Education, for the implementation of this act, to be allocated as follows: $1,875 to the Board of Trustees, State Colleges and and $1,875 to the SBCCOE.

6-9 Statewide Coordination (H.B. 1020) Adds a member from the University of Northern Colorado to the advisory committee of CCHE.

6-21 Coordination (H.B. 1381) Changes the name of Southern Colorado State College to the University of Southern Colorado, and states educational objectives for the institution to include programs offered in a technical community college. Such programs are to include postsecondary programs for credit, awarding the appropriate associate degree in the vocational, technical or occupational area, and performing the functions of an area vocational school in conformance with standards of the state board for community colleges and occupational education. Authorizes tuition adjustments for said technical programs. It is the specific intent of the general assembly that no additional appropriation is necessary to carry out the purpose of this act.

6-18 Curriculum (H.B. 1295) Establishes a program of bilingual-bicultural education which provides for the identification and education of students with linguistically different skills or culturally different environments. Appropriates $2,350,000 for the implementation of this act (excluding section 22-24-119). The amount of $200,000 is appropriated for the implementation of section 22-24-119.

6-20 Curriculum (H.B. 1346) Provides for the integration of career education concepts in the schools of the state; establishes a state advisory council on career education and an executive committee and advisory council to be the advising bodies to the state board of education; authorizes the state board of education as the administrative agency for career education; provides for the establishment of a statewide career education resource team and a state resource center: makes an appropriation for fiscal year 1975-76 of $200,000, contingent upon a match of $200,000 of local funds, for implementation of this act.

6-23 Certification of Teachers (S.B. 43) Requires the State Board of Education to adopt standards for institutions of higher education and to prescribe standards for qualifications for the issuance of teacher certificates. Enacts the "Teacher Certification Act of 1975" which provides for the contintuing evaluation and revision of standards for the certification of teachers and encourages the professional development of teachers.

6-26 Accreditation (S.B. 384) Repeals and reenacts the law governing private vocational schools (formerly "proprietary schools"); provides for the regulation of such schools by the SBCCOE. Provides for powers and duties of said board with respect to private vocational schools. Establishes minimum standards for said schools. Provides a procedure for the processing of complaints against private vocational schools.

6-8 Financial Procedures (H.B. 1014) Requires executive director of the department of administration to acquire information on the collection by state agencies of debts due the state and then to make rules and regulations for the guidance of all agencies in carrying out collection procedures.

6-10 Financial Procedures (H.B. 1029) Requires controller to assist state agencies in the collection of debts due the state, pursuant to rules and regulations of the executive director of the department of administration, and, when such debts have reached a certain stage of delinquency as specified in those rules and regulations, the controller is to take over the collection effort on behalf of the state.

6-27 Financial Procedures (S.B. 281) Provides that gifts and bequests to State institutions of higher education are not to reduce appropriations for such institutions, nor do they find the state to continue to fund programs at the level attained as a result of such gifts and bequests.

6-28 Appropriation (S.B. 458) $4,063,813 is appropriated to the Department of Higher Education for supplemental appropriations.

6-22 State Aid (H.B. 174) Raises the grant available to each junior college district from state funds for each full-time resident student enrolled in postsecondary courses for credit from $575 to $700; authorizes and additional amount of $475 for each FTE Colorado.

6-15 State Level Administration (H.B. 1233) Revises law providing for organization, governance and operation of local district junior colleges to make the State Board of Community College Occupational Education rather than the State Board of Education the state approving agency; except that, when the local district junior college petitions to enter the state community college system, the amendment gives the Colorado Commission on Higher Education authority to approve or disapprove the State Boards' recommendation to approve such entry.

6-19 State Level Administration (H.B. 1334) Authorizes the SBCCOE to sell or lease certain properties owned by Trinidad State Junior College.

6-12 Capital Funds (H.B. 1211) Appropriates the sum of $656,178 for initial construction of El Paso Community College to be allocated as follows: Site Work ($376,878) and Utilities ($279,300).

6-11 Capital Funds (H.B. 1186) Appropriates $971,200 to the SBCCOE, $929,200 is to be used for a value engineering contingency for construction of North Campus of Community College of Denver to accommodate 3,417 FTE students and $42,000 of which is allocated for project cost management.

6-17 Capital Funds (H.B. 1294) Authorized the financing and construction of student center facilities and provides that special student fees or net income from the student center facilities, or both, can be pledged as security in obtaining financing for the construction of said student center facilities at the Auraria Higher Education Center.

6-24 Capital Funds (S.B. 162) The amount of the appropriation is $3,950,770 shall be for the amount of the construction of the Auraria campus and $140,000 shall be used for moveable equipment.

6-25 Capital Funds (S.B. 269) Appropriates $44,720 to the Department of Higher Education, $12,010 of which is allocated to the Colorado School of Mines for completion of the neutron activation facility, and $25,710 to the Community College of Denver, Red Rocks campus for phase 1B architectural fees.

CONNECTICUT (7)

Enacted Legislation-1973

7-1 Campus Beer Sales (Act 73-19) Amends previous legislation concerning consumption of alcoholic beverages at university by extending right to sell beer to all institutions offering higher education programs. Previous law covered only University of Connecticut in Mansfield. (H.B. 8127)

7-2 Alumni Trustees (Act 73-43) Deletes previous restrictions on number of years students had to be alumni to vote for or hold office as alumni trustee. (S.B. 1797)

7-3 Transfer of Funds (Act 73-56) Amends previous legislation by allowing institutions to transfer maximum $1,000 between specific appropriation without prior approval of the finance advisory committee. Previously prior approval was necessary. (S.B. 1800)

7-4 Inventory of Facilities (Act 73-149) Amends previous legislation relating to building construction undertaken by the State, requiring agencies and institution to report information necessary for public works commissioner to maintain inventory of state owned or leased property including space utilization data. (S.B. 1722)

7-5 College Traffic Regulation (Act 73-151) Allows boards of trustees of postsecondary education institutions to appoint traffic committees to establish traffic regulations and impose fines. Establsihes appeals procedures and requires fines collected to be deposited in scholarship amounts. (S.B. 1815)

7-6 Leasing Authority (Act 73-214) Amends previous legislation by replacing leasing authority of boards of trustees with that of commissioner of public works. (H.B. 8146)

7-7 Jurisdiction of Boards of Trustees (Act 73-262) Amends previous legislation relating to jurisdiction of boards of trustees over terms of employment for professional staff by extending jurisdiction to sick leave and vacation. (S.B. 1814)

7-8 Commission for Higher Education (Act 73-281) Amends legislation providing for commission on aid to higher education by abolishing the commission and transferring its function to commission for higher education. (S.B. 1990)

7-9 Student Financial Aid (Act 73-311) Amends previous legislation which authorized public postsecondary education institutions to develop work study programs as means of aiding needy students by deleting previous mandate that 5 percent of student financial assistance funds appropriated in any one year shall be used for this purpose. (H.B. 9118)

7-10 Proprietary Schools (Act 73-408) Amends legislation relating to operation of higher education institutions by deleting the requirement that all approved schools be operated on a nonprofit basis. (S.B. 1856)

7-11 Postsecondary Education Commission (Act 73-427) Designates Commission for Higher Education as postsecondary education commission. (H.B. 9068)

7-12 Master Plan (Act 73-440) Amends bill authorizing master plan study by extending deadline for study from January 1, 1974 to February 1, 1974. (S.B. 2270)

7-13 Auxiliary Services Fund (Act 73-443) Amends legislation authorizing community colleges to maintain auxiliary services fund by allowing community college boards, with approval of state's finance advisory commission, to borrow money from general fund of state in order to establish or maintain auxiliary services. (S.B. 1709)

7-14 Student Classification for Tuition Purposes (Act 73-474) Establishes uniform regulation for the classification of student residence status for tuition purposes to be followed by all public postsecondary education institutions. (S.B. 1708)

7-15 Tuition Waiver (Act 73-542) Amends law establishing tuition in state institutions by providing for tuition waiver for dependents of Vietnam POWs and MIAs and half tuition waiver for dependents of Vietnam era veterans. (Sub S.B. 1707)

7-16 Contracts with Independent Colleges (Act 73-551) Amends legislation relating to contracts for additional student space in independent colleges by adding provision that number of full-time and full-time equivalent student spaces needed will be determined by Commission on Higher Education. (Sub H.B. 8371)

7-17 Liability Protection (Act 73-651) Amends previous legislation concerning protection of education personnel and board members from damage suits by including suits arising form alleged infringement on civil rights, and by adding provision for payment of defendents legal expenses incurred in damage suits covered by this Act. (H.B. 8851)

7-18 (Act 73-10) A new law providing for the use of all librarians in state system by any student in the system. (H.B. 8299)

Enacted Legislation-1974

7-19 For Fiscal Period Ending 6/30/75 (Special Act #31)

Services	$15,618,000
Other	4,567,000
EOG	12,400
Tuition Refunds	155,300
Student Loans	46,900
WSP	122,700
Nursing Student Loans	6,700
	$21,085,000

(H.B. 5709-1974)

7-20 Bond Issue Authorization (Special Act 1974-90) $20,000,000 for capital improvements and acquisitions to Board of Trustees of Regional Community Colleges.

7-21 Bond Authorization (Special Act #74-101) Provides $3,000,000 for the acquisition and improvement of sites, classrooms, administration and related facilities for community colleges, as recommended by the Governor.

7-22 Higher Education Centers (Act 74-115) An amendment to an act providing for the establishment of higher education centers deleting provision allowing the State Commission on Higher Education to transfer appropriated funds to boards of higher education centers.

7-24 Justification Required for New Institutions (Act 74-173) An act requiring the Commission for Higher Education to provide justification based on current studies of population density, facility utilization, program inventory, availability of comparable programs in the region and such other criteria of need as may be appropriate, to the General Assembly before any new higher education institution is established.

7-25 Waiver of Tuition for Veterans (Act 74-266) An amendment to previous legislation regarding tuition waiver by including full-tuition waiver for Vietnam era veterans. Previously half of tuition had been waivered for Vietnam era veterans. (Sub H.B. 5055)

Enacted Legislation-1975

7-23 Extension Student Fees (Act 74-120) Amends previous legislation relating to payment of tuition by exempting from the payment of tuition students errolled in and paying extension fees in an extension progrom or summer session. (Sub S.B. 428)

7-26 Waiver of Tuition for Elderly (Act 74-282) Amends previous tuition waiver legislation by including persons 62 or older enrolled in degree programs or registering for courses on space-available basis. (Sub H.B. 5147)

7-27 Appropriation Act (Special Act #75-41) Provides $20,406,687 for regional community colleges, a reduction of $1,239,313 in the amount originally recommended by the Governor. Also provides funds for waiver or remission of tuition for up to 1 percent of the number of full-time students. Funds for annual salary increments for classified and unclassified employees, which were omitted from this appropriatons act, were subsequently provided in other legislation. The increments, however, will become effective three months later than they normally would have.

7-29 Community College Mission (Public Act #75-100) An act concerning the responsibilities of regional community colleges. Provides a revised and more detailed statement of the mission of the community colleges including a special subsection for the definition of community services.

7-30 State Higher Education System Policies (Public Act #75-191) An act concerning policies of the state system of higher education. Provides that within the limits of authorized expenditures, the policies of the state system of higher education shall be consistent with the following goals: (1) to ensure that no qualified person be denied the opportunity for higher education on the basis of age, sex, ethnic background or social, physical or economic condition, (2) to protect academic freedom, (3) to provide opportunities for education and training related to the economic, cultural and educational development of the state, (4) to assure the fullest possible use of available resources in public and private institutions of higher education, (5) to maintain standards of quality ensuring a position of national leadership for state institutions of higher education, (6) to apply the resources of higher education to the problems of society and (7) to foster flexibility in the policies and institutions of higher education to enable the system to respond to changes in the economy, society, technology and student interests.

7-31 Student Representation on Boards (Public Act #75-262) An act concerning student representation on the boards of trustees of the state's public institutions of higher educaiton. Provides for election of two students for two-year terms to each governing board in higher education.

7-32 Freedom of Information (Public Act #75-342) An act concerning freedom of information. Provides for increased public access to meetings and records of public agencies and restricts items which can be discussed in executive sessions.

7-33 Public Works Bid Procedures (Public Act #75-365) Provides for an increase in said limit from $25,000 to $50,000 providing the proposed alteration of addition is approved by the Public Works Commissioner.

7-34 Student Absence Due to Religious Beliefs (Public Act #75-367) Provides that no student in the state system of higher education may be discriminated against because the tenents of his religion may prohibit secular activity on a particular day or days or time of day to attend classes or to participate in any examination, study or work requirements. Such students must be provided with an equivalent opportunity to make up any such requirements without being assessed any special fees. Other provisions of the act requiring meditation periods for students and teachers pertain only to elementary and secondary schools.

7-35 Master Plan for Vocational and Career Education (Public Act #75-422) Provides for the development of such a plan by the State Board of Education with the advice of a number of interested groups including the regional community colleges.

7-36 Leasing of Real Estate (Public Act #75-425) Provides, in part, (1) that the Public Works Commissioner shall be the sole authority to represent the state in its dealings with third parties for the acquisition, construction or leasing of real estate for all state agencies; (2) that all agencies communicate their requests relating to acquisition, construction or leasing of real estate to the Public Works Commissioner for consideration; (3) that the Commissioner will make a final determination whether he approves of the request and, if approved, the method and plan by which it shall be accomplished; (4) that the Commissioner's decision shall be subject to review and approval of a new State Properties Review Board, and (5) that agencies may appeal decisions of the Commissioner and/or the Review Board to the Governor.

7-37 Child Care Centers (Public Act #75-444) An act concerning child care services at the constituent units of the state system of higher education. Provides authorization for governing boards to expend funds from general fund appropriations to support child care centers utilized in the instructional program of the colleges.

7-38 Tuition Waiver for Needy Students (Public Act #75-484) An act concerning waiver of tuition for students in the state system of higher education. Provides that governing boards may waive or remit each semester the tuition of students who demonstrate substantial financial need, provided the number of waivers or remissions does not exceed one percent of the number of full-time students.

7-39 Alumni Representation on Board of Trustees (Public Act #75-504) Provides for appointment by the Governor of two additional members to all governing boards. The additional members to be appointed must be alumni of institutions under the jurisdiction of the boards, except in the case of the University which already has provision for alumni trustees.

7-40 Administrative Procedures Act Exemption (Public Act #75-529) Provides that the constituent units of higher education shall be exempt from the provisions of the Administrative Procedure Act provided that (1) the governing boards promulgate written statements of policy pertaining to personnel and student discipline after providing a reasonable opportunity for interested persons to present their views, and (2) in cases of dismissal of tenured employees, or non-tenured employees prior to the end of their appointment, and dismissal or suspension of a student for disciplinary reasons, the boards must adopt procedures which provide for giving a statement of reasons for the proposed action, a hearing upon request of the party affected, and a written decision following the hearing.

7-41 Affirmative Action (Public Act #75-536) Requires the development of affirmative action plans by all state agencies, and the submission of such plans twice annually to the Commission on Human Rights and Opportunities for review and approval.

7-42 Collective Bargaining (Public Act #75-566) Provides for collective bargaining of state employees, effective October 1, 1975.

7-43 Veteran's Scholarships (Public Act #75-574) Provides for establishment of a scholarship fund for Vietnam Era Veterans attending private colleges in Connecticut, and appropriates $10,000 to the fund for 1975-76.

7-44 Capital Fund Expenditures (Public Act #75-582) An act concerning certain higher education funds. Provides, as amended, that repairs, alterations or additions to auxiliary service and educational extension facilities which cost less than $50,000 require the approval of the Public Works Commissoner, in conformity with the provisions of Public Act #75-365 cited earlier.

7-45 Alternate Retirement Program (Public Act #75-636) Provides that the Commission for Higher Education may develop such an alternate retirement program (e.g., T.I.A.A.) for higher education personnel in lieu of membership in the State Retirement System. Such an alternate program would provide for immediate vesting of retirement rights in contrast to the State Retirement System which provides for vesting after ten years. Only new employees would be entitled to exercise the option to join the alternate program.

FLORIDA (9)

Proposed Legislation-1975

9-1 Travel Expenses (S.B. 255) Computation of state employee travel time, rates of per diem and subsistence. Requires use of a new travel authorization form.

9-2 Administrative Procedures Act (S.B. 892) Requires all state agencies to formalize procedures for administering the agency, for implementing new regulations; the Department of State shall supervise all state agency administrative rules and procedures; employees affected by newly enacted regulations have right to hearing; sets forth procedures for such hearings.

9-3 Retirement Fund Annuities (S.B. 941) Allows employer to deduct wages to be used to purchase annuities as selected by the employee.

9-4 Coordination of Community Education (S.B. 1003) Authorizes the establishment of area councils for community educational services representing all postsecondary education in community college districts to coordinate all off campus educational activities.

9-5 Employee Mileage Allowance (H.B. 308) Amends previous legislation to raise mileage allowance from ten cents to fourteen cents per mile.

9-6 Collective Bargaining (H.B. 2028) Amends comprehensive public collective bargaining legislation to provide for right of employee, to refrain from joining a union and provides civil remedy and injunctive relief to any person denied employment or discriminated against on account of membership or nonmembership in union.

9-7 Educational Benefits for Dependents of POWs and MIAs (H.B. 2235) Amends previous legislation relating to veterans scholastic benefits to provide for payment of tuition and registration fees and supplies for children of POWs, MIAs, deceased or disabled veterans.

9-8 Tax Revenue for Capital Outlay (HJR 2289 and 2984) A resolution amending previous legislation approved by the voters November 1974, providing that revenue derived from gross receipts taxes shall be used for capital outlay projects for the state system of public education.

9-9 Horse Racing Proceeds as Funding Sources (H.B. 2848) Amends previous legislation relating to charity racing days to add a third charity day for horse tracks in Hillsborough County, the proceeds of which shall go to the Pasco-Hernando Community College.

9-10 Payment of Fees by Veterans (H.B. 2621) Amends previous legislation to include community colleges among those state institutions where veterans and their dependents under the federal educational assistance act shall have an extra 60 days for payment of registration fees beyond any deadline established by the institution.

9-11 Credit Card Use for Fee Payment (H.B. 2892) Amends previous legislation to allow use of credit cards to pay for goods and services and tuition and fees. Also authorizes state universities to collect student activity fees which shall be allocated to recognized student organizations by the student government.

9-12 Horse Racing Proceeds as Funding Sources (H.B. 2931) An act authorizing Florida Downs and Turf Club to conduct an additional charity day. The proceeds of which shall be split 50/50 between Hillsborough Community College and the St. Petersburg Junior College Alumni Association for use in granting scholarships.

9-13 Building Codes (H.B. 3231) An act related to building construction in the state providing for minimum standard building codes, creating a board of building codes consisting of 13 members including a member from fire protection, engineering and technology.

9-14 Capital Outiay Appropriaton (H.B. 3372) Allocates $31,648,700 for specified fixed capital outlay projects to community colleges.

9-15 Conflict of Interest (H.B. 3418) Provides that conflict of interest is not allowed and that potential conflict of interest must be declared within certain time periods. Includes members of board of regents, chancellor of university system, presidents and members of boards of trustees of community colleges.

9-16 Horse Racing Proceeds as Funding Sources (H.B. 3531) Allows an additional charity day at any race track in Marion County and Lurie County with proceeds to go to support scholarships at Central Florida Community College and Indian River Community College.

9-17 Transportation of Community College Students (H.B. 3757) Repeals previous legislation regarding transportation of community college students provides for method of determining transportation density index and use of index in determining amount to be included in operations budget allocation for transportation. Also establishes new procedures for determining state financial support and annual apportionment of state funds to each community college.

9-18 Retirement Program (H.B. 3909) Allows members of any existing retirement system to join newly formed non-contributory system.

9-19 Unemployment Compensation (H.B. 4122) Amends previous legislation increasing unemployment compensation from $64 to $74 per week.

HAWAII (11)

Enacted Legislation-1974

11-1 Senior Citizen Centers (S.J.R. 8) Recognizes exemplary role of the demonstration multi-purpose senior citizen center administered by Honolulu Community College and resolves that the center should expand its role in the spectrum of programs and services and strongly consider a greater role in providing programs, training and research.

11-2 Nursing Program Controls (S.R. 216) A resolution recognizing the need for Licensed Practical Nurses and the shortage of nursing institutions at Kapiolani Community College requests the Board of Nursing to refrain from reducing nursing programs required faculty-student ratio from 15-1 to 12-1 until additional nursing instructors can be hired.

11-3 Land Acquisition (S.R. 311) Resolution recognizing upcoming availability of Naval Surplus land adjacent to Leeward Community College and suitable for expansion and the fact that University has yet to submit necessary request for the land, requests they do so as soon as possible so that the land acquisition will occur in sequence with the plans of Leeward Community College to expand its facilities.

11-4 Land Acquisition (H.R. 404) Requests D.O.T. to make a section of land adjacent to a freeway available to Associated Students of Leeward Community College for use as site of low income student housing.

11-5 Support of Community College Administration (H.R. 26) A resolution recognizing the weak stature of community college within University of Hawaii System created by placing governance of each community college in hands of a provost and the failure of University to accord Vice President for Community Colleges same level of responsibility and stature as Vice President for Academic Affairs and Business Affairs, resolves that Vice President for Community College should be given equal stature with other Vice Presidents.

11-6 Statewide Study of Vocational Education (H.R. 275) Recognizes importance of vocational education in terms of role and large amount of funds expended. Resolves that the Legislative Reference Bureau shall conduct a study of vocational education in the state related to:

(1) fulfillment of responsibilities of University of Hawaii Board of Regents as State Board of Vocational Education
(2) use of federal funds for vocational education
(3) place and administrative relationships of Office of State Director of Vocational Education to hierarchy of University of

Hawaii and Department of Education
(4) implementation of state master plan for vocational education

11-7 Environmental Education (H.R. 432) Recognizes the need for environmental education and resolves that environmental education should become an essential thrust of curricula in University of Hawaii and Community Colleges.

Enacted Legislation-1975

11-8 Manpower Development and Training Contracts (Act 126) Authorizes Department of Labor and Industrial Relations to enter into contracts for manpower development and training with the Department of Education, the University of Hawaii system or other public agencies.

11-9 Financial Aid (Act 161) Increases the number of regents, tuition, waivers and scholarships from 400 to 600 available to students in the University of Hawaii system.

11-10 Non-Resident Tuition (Act 185) Decreases maximum non-resident tuition from four times to two times the tuition fee for resident students.

11-11 Revolving Fund Accounts and Senior Citizen Tuition Waiver (Act 189)
(1) Establishes series of revolving fund accounts to receive and expend revenue derived from certain operations. The funds are Research and Training, Student health center, diplomas and transcripts, Vocational and technical training projects, annual research foundation.
(2) Provides for free tuition for senior citizens over 60.

11-12 Vocational Education Advisory Council (Act 192) Amendment related to Vocational Education Advisory Council which advises Board of Regents. Provides that one of the ex-officio members formerly Vice President for Community Colleges shall be replaced by President of University of Hawaii.

11-13 Appropriation (Act 195) This appropriation Act for the 1975-1977 Biennium includes operating and capital expenditures for the University and Community College System. One section of the Act (p. 179) is interesting. It limits spending for the East Honolulu Community College by limiting student growth to 1,500 until a definitive five year master plan is completed.

ILLINOIS (13)

Legislation Enacted-1974

13-1 Capital Development (S.B. 17) Amends State Finance Act by adding the capital development board contributory fund and defines its purpose.

13-2 Prerequisites for Establishment of Community Colleges (S.B. 1974) Amends previous legislation by adding a 20 percent increase in head count enrollment to existing requirements for a new campus to qualify for the $100,000 initial grant; an amendment also made territory within 20 miles of an existing community college district boundary "contiguous" for purposes of annexation.

13-3 Bond Issue Without Referendum (S.B. 1402) Permits community college districts in cities having a population of 500,000 or more to issue bonds up to $20 million with approval of the city council and without referendum.

13-4 Deficiency Appropriation (S.B. 1567) Deficiency appropriation for community colleges for fiscal year 1974 of $1.54 million to cover excess of claims over funds available for flat grants and supplemental vocational technical grants.

13-5 Financial Aid for Part-Time Students (H.B. 2287) Makes some changes in Illinois State Scholarships including making part-time students eligible.

13-6 Capital Appropriation (H.B. 2717) Appropriates $705,000 to Carl Sandburg Junion College for a capital project.

13-7 District Boundaries (H.B. 2868) Provides for equalization by Department of Local Government Affairs on a township rather than a county basis in Cook County.

13-8 Appropriation (H.B. 2286) Provided $95,394,210 for community college operating purposes, including $76,594,700 for grants to community colleges and other monies to Illinois Community College Board and related state expenses.

13-9 Capital Appropriation (S.B. 1424) Provided $12,528,450 for new capital projects in addition to funds for H.B. 2717.

First Regular Session

Legislation Enacted-1975

13-10 Name Change (H.B. 1126) Change designation of junior colleges to community colleges (101-2).

13-11 State Level Administration (S.B. 751) Change Office of Superintenden of Public Instruction to State Superintendent of Education on Illinois Community College Board (102-1).

13-12 Liability Insurance (S.B. 751) Provides liability insurance and indemnity for Illinois Community College Board.

13-13 Aid to Veterans (H.B. 858) Moves responsibility for Veterans Scholarships from Illinois State Scholarship Commission to Illinois Veterans Commission. (102-16.1)

13-14 Trustees (H.B. 495) Provides permission for 18 year olds to serve on Community College Boards.

13-15 Trustees (S.B. 182) Clarifies the Ethics Act for local community college Trustees. (103-7.10)

13-16 Trustees (H.B. 1885) Applies voter challenge and absentee voter provisions to community college trustee elections. (103-7.13)

13-17 Financial Procedures (H.B. 458) Requires community colleges to publish an annual financial statement. (103-22.2)

13-18 Financial Procedures (H.B. 922) Authorizes community colleges to withhold teachers dues to union. (103-26)

13-19 Cooperation (S.B. 167) Provides for cooperative programs in vocational education between community colleges and public schools. (103-40.1)

13-20 Institutional Administration (H.B. 1445) Establishes requirements for community college campus security departments. (103-42.1)

13-21 Institutional Administration (S.B. 169) Provides for the regulation of traffic on community college campuses. (103-42.2)

13-22 Financial Procedures (S.B. 176) Extends provisions for charge-backs through 1975. (106-1)

13-23 Community College Districts (H.B. 1420) Provides for voluntary annexation of territory to a community college district and permits four methods. (106-6.1)

13-24 Finance Procedures (S.B. 17) Adds the capital development board contributory fund.

13-25 Trustees (S.B. 168) Clarifies requirement to file for candidates and incumbents for office of community college trustees.

13-26 Deficiency Appropriations (S.B. 472) Provided about $10.2 million.

13-27 Statewide Coordination (H.B. 667) Creates new powers, duties, etc. for Illinois Board of Higher Education. (No additional information provided).

13-28 Coordination (H.B. 2152) Changes adult education advisory committee to conform to federal guidelines.

13-29 Institutional Growth (H.B. 2160) Authorizes State Department of Mental Health to convey property to Black Hawk Community College.

13-30 Curriculum (H.B. 2296) Establishes bilingual adult vocational/technical education programs.

13-31 Appropriation (H.B. 3064) Appropriates funds for Veterans Scholarships to Illinois State Scholarship Commission.

13-32 Capital Funds (S.B. 854) Appropriates total of $10,982,000 to capital development board some of which will support community college projects.

13-33 Appropriation (S.B. 633) Appropriates $21,443,200 to Illinois Board of Higher Education for fiscal year 1976 for operation.

13-34 Appropriation (S.B. 634) Appropriates $9,919,294 to Illinois Board of Higher Education for distribution of grants.

13-35 State Level Administration (S.B. 704) Requires principal offices of Illinois State Scholarship Commission to be located in State Capitol.

13-36 State Level Administration (S.B. 1083) Amends Institution Act to delete references to diplomas.

13-37 Appropriation (S.B. 471) Provides for fiscal year 1976 $113,378,675 for community college operations, including $93,363,665 for grants to colleges.

13-38 Capital Appropriation (H.B. 289) Provides for fiscal year 1976, $35,250,027 for new community college projects.

IOWA (15)

Proposed Legislation-1975

15-1 Area Research Centers (H.F. 5) Allows Area Schools as well as Public and private colleges and universities to serve as area research centers for the state historical board.

15-2 Budget Hearing (H.F. 96) A local public hearing must be held before the budget of any area school may be sent to the Department of Public Instruction.

15-3 Population of Subdistricts (H.F. 115) That schools board subdistricts from which board members are elected must be equal in population.

15-4 Limit Expansion (H.F. 180) Prohibits an area school operating as a vocational/technical school from expanding its curriculum to qualify as an area community college. It also prohibits the formation of any additional area schools which would offer college parallel courses.

15-5 Accreditation (H.F. 234) Exempts trade or vocational schools accredited by an acknowledged accrediting agency from previously enacted provisions, which required state accreditation.

15-6 Senior Citizen Tuition Aid (H.F. 236) Provides reimbursement of $20/sh and $15/qh for enrollment by senior citizens in courses offered by area schools to a maximum of $2,000,000 in 1975-1977 biennium.

15-7 Salaries (S.F. 251) Amends previous legislation to allow salaries of area school superintendents to be established up to the annual salary of the state superintendent of public instruction.

15-8 Teacher Certification (H.F. 269) Replaces state board of educational examiners with the professional standards board which is empowered to approve all teacher education programs, issue certicates, revoke certificates, establish continuing education requirements, adopt rules for carrying out provisions, and conduct studies to improve standards.

15-9 Part-time Student Aid (H.F. 331) Extends to part-time students the tuition grant program. Provides one half the amount for a full-time student to part-time students enrolled for a minimum of six semester hours and for not more than 16 semesters of undergraduate study.

15-10 Tuition Grants (H.F. 349) This bill raises the maximum tuition grant allowable from $1,000 to $1,500 and appropriates $14.8 million for such purpose each year of 1975-1977 biennium.

15-11 Goals of Postsecondary Education (S.F. 389) Adopts a goal statement for Iowa postsecondary education including expansion of opportunity, diversity, quality, institutional autonomy, effective operation, coordination and cooperating; establishes Iowa postsecondary education commission.

15-12 Salaries (H.F. 524 and S.F. 362) Raise maximum salary of area school superintendents from $27,500 to $30,000.

15-13 Extension of Time Period of Bond Authorizations (S.F. 370) Extends the period for which voters in a merged area school district may authorize tax to finance buildings and sites from five years to ten years.

15-14 Time Extension on Capital Construction Loans (H.F. 401) This bill allows area schools which have received Federal interest grant funds to extend the maturation date of any loans for which federal funds were granted to the period of time stated in the grant even though the tax levy which is the basis for the loan can only be authorized for a five-year period.

15-15 Co-Financing Construction (H.F. 438) This bill would authorize merged areas to finance student centers, dorms, parking facilities by means of revenue bonds or notes.

15-16 Support of Vocational Education Youth Organizations (H.F. 478) Establish fund in state treasurers office for deposit of $50,000 annually of Federal vocational education funds for the purpose of supporting vocational education youth organizations as provided for in Iowa's federally approved vocational education plan.

KANSAS (16)

Proposed Legislation-1975

16-1 Out-of-District Students and Fees (S.B. 292) Amends community college law by providing that students attending a community college outside their district no longer need approval of the chief administrative officer of the receiving district in order for that district to receive out-of-district tuition, or state aid; changes maximum increase in out-of-district from 5 percent to 10 percent; ceiling on out-of-district tuition changed form $1,150 to $1,250. Credit hour state aid increased form $14 to $15.50; courses to be used for budget authority and to be reported annually by September 15 may include summer offerings and any approved course started by December 1. New fiscal year budget may not surpass 110 percent of previous year budget (increased from 107 percent) allows state tax appeals board to authorize a college to increase its legally adopted budget because of programs required by state or federal law; previously enacted tax levy limitations are not to apply to vocational education funds of any community college.

16-2 Student Fees (S.B. 302) Permits all student fees collected to be deposited in the vocational education fund rather than in general fund.

16-3 Faculty Due Process (S.B. 460) Amends previous legislation by extending statutory due process procedures upon termination or non-renewal of contract to community college faculty in the same manner as K-12 instructors.

16-5 Nursing School Accreditation (S.B. 587) An act modifying administrative regulations previously adopted by state board of nursing pertaining to accreditation and approval of nursing schools; administration and organizations of nursing schools; nursing school faculty qualification including the requirement of a baccalaureate degree by 71.178; curriculum clinical resources and evaluation.

16-6 Open Public Meetings (H.B. 2101) Amend open public meeting law by providing:

(1) that it be against public policy to adjourn a public meeting to another time or place in order to subvert the policy of open public meetings
(2) that notice be given of date, time and place of public meetings to anyone requesting it
(3) agenda of public meetings be made available upon request
(4) cameras and recording devices to be allowed at public meetings subject to rules designed to ensure orderly conduct of meetings

16-7 Tax Levy Without Referendum (H.B. 2103) An act authorizing any community college district with assessed valuation between 60 and 65 million to make an annual tax levy of not exceeding one million without public vote providing that intention to levy such tax is published for three weeks prior to proposed levy and the levy does not meet with opposition of more than 2 percent of voters in the form of petition.

16-8 Trustee Candidates (H.B. 2104) Amends previous legislation extending time for filing a petition of intent to be a candidate for community college trustee from seven to nine weeks prior to election.

16-9 Destruction of Documents (H.B. 2186) Amends previous legislation allowing community colleges to destroy certain documents after five years. Reduced from 15 years for audit reports and 20 years for bookkeeping records.

16-10 Qualifications of Employment for Faculty (H.B. 2529) Amends previous legislation be deleting certification requirements for community college faculty and administrators and prohibits adopting any other requirements which would be construed as being condition for qualification for employment.

MICHIGAN (22)

Enacted Legislation-1973

22-1 Public Employee Unions (Public Act 25) Amends compiled law sections 423.201, 423.207 and 423.210 (Sections 1, 7 and 10 of Act No. 336 of the Public Acts of 1947, as amended--the Public Employee Relations Act) to permit the union agency shop in the public employee sector. Provides that no person is compelled to join a labor union, but all who receive benefits from labor negotiations shall pay a service fee in proportion to the benefits received from the negotiations--effective June 14, 1973 (enrolled Senate Bill No. 433).

22-2 Higher Education Scholarships, Increased Stipend (Public Act 27) Amends compiled law section 390.976 (Section 6 of Act No. 208 of the public acts of 1964--the State Scholarship Act) to increase the maximum scholarship stipend from $800 to $1,200 per year to a student enrolled in a higher education program--effective July 1, 1973 (enrolled Senate Bill No. 123).

22-3 Higher Education Facilities Authority--Refinancing Indebtedness for Facilities (Public Act 50) Adds compiled law section 390.925a and amends Section 390.924 and 390.925 (Sections 5a, 4 and 5 of Act No. 295 of the Public Acts of 1969, as amended--the Higher Education Facilities Authority Act). Authorizes the Michigian Higher Education Facilities Authority to refinance existing indebtedness incurred by independent colleges and universities for acquisition or alteration of physical facilities. This authorization is expected to bring about lower interst rates--effective July 11, 1973 (enrolled House Bill No. 4813).

22-4 Wayne County Community College, Tax Levy (Public Act 77) Repeals compiled law section 389.82 (Section 82 of Act No. 331 of the Public Acts of 1966, as amended--the Community College Act). Repeal of Section 82 permits Wayne County Community College to levy taxes both for the operational expenses of the college and the retirement of capital investment expenditures as other community colleges are authorized to do--effective July 31, 1973 (enrolled House Bill No. 4787).

Enacted Legislation-1974

22-5 Higher Education Assistance Authority, Rulemaking (Public Act 19) Adds compiled law section 390.961 and amends Sections 390.955 and 390.957 (Sections 11, 5 and 7 of Act No. 77 of the Public Acts of 1960, as amended--the Michigan Higher Education Assistance Authority Act). Authorizes the Michigan Higher Education Assistance Authority to promulgate rules to implement the provisions of the Act. Previously promulgated rules were subject ot the approval of the State Administrative Board. Authorizes the Authority to enter into contracts with eligible lending institutions or with public or private postsecondary educatonal institutions to provide for the administration of any loan, or guarantee of a loan. Section 11 is added to ratify and confirm all guarantees of student loans made prior to the effective date of this Act--effective February 15, 1974 (enrolled H.B. 4955)

22-6 Community College Districts Composed of Single School Districts (Public Act 40) Adds compiled law section 389.46 and amends Sections 389.31,389.32, 389.34, 389.35 and 389.37 (Sections 46, 31, 32, 34, 35 and 37 of Act No. 331 of the Public Acts of 1966--the Community College Act of 1966) to permit a single school district to form an independent community college district subject to approval of the State Board of Education and a majority of the electors of the school district. Sets forth provisions for a separate governing board of trustees for the community college--effective March 13, 1974 (enrolled Senate Bill No. 744).

22-7 Higher Education Tuition Benefits, Children of Members of the Armed Forces (Public Act 44) Amends compiled law section 35.111 (Section 1 of Act No. 245 of the Public Acts of 1935, as amended--the Act to provide educational opportunities for the children of certain members of the armed forces of the United States). Extends higher education benefits, including free matriculation, tuition and other fees, to children of armed forces personnel missing in action--effective March 19, 1974 (enrolled Senate Bill No. 1018).

22-8 Allotment for Degrees Awarded by Nonpublic Institutions of Higher Education (Public Act 75) A new Public Act (Compiled Law Sections 390.1021 to 390.1027). Provides that the State Board of Education shall annually, upon application therefore, reimburse each approved nonpublic institution of higher education located within Michigan for earned degrees conferred upon Michigan residents during the prior fiscal year. Reimbursement shall be according to the following schedule:

$200 for each earned associate degree.
$400 for each earned bachelor's or master's degree.
NOTE: The payment for a bachelor's degree shall be $200 if a prior payment of $200 was made for an associate degree earned by the same student.

Defines "Michigan resident" as a person who was a resident of Michigan at the time of graduation from high school. Prohibits reimbursement for earned degrees in theology or divinity. Provides that an institution shall not receive a payment greater than 15 percent of its educational and general expenditures--effective April 4, 1974 (enrolled House Bill No. 4443).

22-9 Michigan Employment Security Act--Application to School Districts and State Supported Institutions of Higher Education (Public Act 104) Amends, and adds, several sections of the "Michigan Employment Security Act"--Act No. 1 of the Public Acts of the Extra Session of 1936, as amended (Compiled Law Sections 421.1 to 421.65). Gives school districts the option to participate in unemployment benefits for public employees on a reimbursable basis rather than prepaid contribution. Benefits are equal to 55 percent of the individual's average weekly wage not to exceed a rate schedule set forth in the Act. Benefits on services for a school district, community college, or school operated by the State shall not be paid to an individual for any week of unemployment which begins during vacation periods or holiday recesses occurring during the academic year, during the period between two successive academic years, during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave, if the individual normally would not perform services during that period. Benefits for terminated employees shall not begin until the first week in which the individual would normally return to work. Benefits would occur for employees who are terminated at least seven days prior to any of the above. A week shall not be a credit week unless the individual worked at least 12 hours within the same school district. An individual would need 14 credit weeks to be eligible for unemployment. These need not be consecutive weeks. Employees who receive at least 50 percent of their compensation from federal funds are exempted until December 31, 1976. Such employees would be eligible after that date. Provisions of this Act for school districts become effective January 1, 1975--effective May 16, 1974 (enrolled Senate Bill No. 741).

22-10 State Construction Code--Barrier-Free Design (Public Act 180) Amends Compiled Law Sections 125, 1502, 125.1508 and 125.1516 (Sections 2, 8 and 16 of Act No. 230 of the Public Acts of 1972--the State Construction Code Act of 1972) to provide that a city, village or township may not exempt itself from the Act where barrier free design of buildings is required. Defines "barrier free design" as design complying with legal requirements for architectural designs which eliminate the type of barriers and hindrances that deter physically limited persons from having access to and free mobility in and around a building or structure. Defines "physically limited" as a temporary or permanent impairment or condition which causes a person to use a wheelchair; causes a person to walk with difficulty or insecurity; affects the sight or hearing to the extent that a person is insecure or exposed to danger or causes faulty coordination or reduces mobility, flexibility, coordination, or perceptiveness; and means persons who are limited in ambulation--effective June 27, 1974 (enrolled House Bill No. 6112).

22-11 Building Accessibility by Handicapped and Other Mobility Limited Persons (Public Act 190) Amends Compiled Law Sections 125.1351 to 125.1356 (Sections 1 to 6 of Act No. 1 of the Public Acts of 1966--an Act to provide for the accessibility and the utilization by the physically handicapped of certain public buildings. Clarifies the law by defining "public facilities," "barrier free design," "physically limited" and "improved area"--effective July 2, 1974 (enrolled House Bill No. 5214).

22-12 Student Loan Marketing Association--Michigan Banks (Public Act 199) Amends Compiled Law Section 487.451 (Section 151 of Act no. 319 of the Public Acts of 1969--the Banking Code of 1969) to grant Michigan banks the power to hold and dispose of stock of the Student Loan Marketing Assocation--effective July 9, 1974 (enrolled House Bill No. 5966).

22-13 Student Members of Governing Boards of Public Institutions of Higher Learning (Public Act 317) Adds Compiled Law Section 15.304a (Section 304e of Act No. 318 of the Public Acts of 1968--an Act to implement provisions of Section 10, Article 4 of the Michigan Constitution related to substantial conflicts of interest). Declares that there shall not be deemed to be a conflict of interest with respect to a contract arising out of the status of being a student at a baccalaureate degree-granting institution of higher education where the student is elected or appointed to the governing board--effective December 15, 1974 (enrolled House Bill No. 6194).

22-14 Income Tax Credit to Nonprofit Corporation, Fund, Foundation, Trust or Association Operated for Benefit of Higher Education Institution (Public Act 290) Amends Compiled Law Section 206.260 (Section 260 of Act No. 281 of the Public Acts of 1967, as amended--the Income Tax Act) to allow, for the years 1974 to 1980 only, tax credits to nonprofit corporations, funds foundations, trusts, or organizations which are organized and operated exclusively for the benefit of an institution of higher learning. (Prior to enactment of Public Act 290, tax deductions were limited to taxpayers making charitable contributions to public libraries, to institutions of higher education in Michigan, or the Michigan Colleges Foundation). Provides that tax credit be permitted only where the donee corporation, fund, foundation, trust, or association is controlled or approved and reviewed by the governing board of the benefiting institution. Provides, further, that the donees provide copies of their annual independently audited financial statement to the State Auditor General and the Chairman of the House and Senate Appropriations Committees--effective October 15, 1974 (enrolled Senate Bill No. 79).

22-15 Auto Mechanics, Training and Certification (Public Act 300) A new Public Act (Compiled Law Sections 257, 1301 to 257.1340) cited as the "Motor Vehicle Services and Repair Act," to be administered by the Department of State. Regulates the practice of servicing and repairing motor vehicles, provides for training and certification of mechanics, and provides for the registration of motor vehicle repair facilities. Requires that as of December 31, 1977 all motor vehicle repair facilities have at least one "specialty or master mechanic" in its employ certified in each category of repair. Requires also that by January 1, 1978 any major service or repairs performed by a noncertified mechanic shall be inspected and approved by one who is certified in the pertinent specialty. Allows persons unable to obtain a certificate as a "specialty or master mechanic" to make application for a "mechanic trainee" permit, and further allows persons qualifying as "mechanic trainees" to retain that status for a period of up to two years if they work under the direct supervision of a specialty or master mechanic. Mandates that the Secretary of State, or his designee, establish and operate mechanic trainee training programs designed to provide the training necessary to become certified under this Act. Allows the Secretary of State to appoint schools, academies or other similar establishments to engage in mechanic trainee training if the establishments meet the criteria established by the Secretary of State, after consultation with the Department of Education and the U.S. Department of Labor, Bureau of Apprenticeship and Training. Permits, also, the designation of these establishments for engaging in a continuing education and training program for "specialty" and "master mechanics." Requires an applicant to pass an examination designed to test competency to correctly diagnose and repair motor vehicles in the specific category for which the application is made. The examination may be written or oral, or practical. Mandates that the Secretary of State review examinations given by private and public agencies, including the Department of Education. Spells out the responsibilities of the Secretary of State for administering the Act, the responsibilities of repair facilities for conforming to the Act, and the penalties for nonconformance--signed into Law on October 18, 1974 (enrolled House Bill No. 5047).

22-16 Appropriation for Operation of Community and Junior Colleges (Public Act 228) - Appropriates $74,226,167 for the operation of community and junior colleges. Appropriations made to the various colleges were calculated on estimated fiscal year equated student enrollments written in the Act. Payments shall be based upon computations written in the Act. In 1975-1976, it is the intent of the Legislature to fund community and junior colleges on the basis of standards which are defined as the actual number of scheduled clock hours of instruction for all students taking credit courses during the calendar year 1975 divided by 500. The Auditor General Shall use the taxonomy of occupational community college courses developed by the Michigan Department of Education to verify student credit hour production and contact hour production according to the academic categories established for purposes of state aid reimbursement. The taxonomy shall be revised and updated by the State Department at periodic intervals during the calendar year. All revisions for the calendar year ending December 31, 1974, shall be supplied to the Department on or before November 1, 1974. Course revisions submitted after November 1, 1974, for the calendar year ending December 31, 1974, shall be categorized for state reimbursement at the liberal arts and business level. A community or junior college shall not include in its enrollment count the student credit hour enrollments of those persons enrolled concurrently in college credit courses and in secondary programs as a part of a cooperative program between a college district and a secondary or intermediate school district. Further, student credit hours of those students enrolled in noncredit courses or apprenticeship training programs operated as a part of the Department of Education's itinerant instructors program, or credit hours of those students enrolled in manpower development training programs when reimbursement through federal programs is not based on tuition, shall not be included in the enrollment count for payment. Not later than April 15, 1975, each college shall certify to the Legislature the schedule of tuition and student fees applicable to Michigan resident students for the fiscal year 1975-1976. Colleges offering instruction inmates of a state correctional institution shall be allocated $310 for each calendar year equated student in the program for the purpose of deferring the cost of books and equipment, job placement, counseling services and other support costs. Provides that the Department of Education shall pay each community college and K-12 school district participating in the apprenticeship training program an amount equal to $75 for each full year apprentice student. Each participating community or school district may charge each full year apprentice an annual fee not to exceed $60 for the purchase of supplies and materials. The total allocation of funds for the program to the Department of Education shall equal $305 per full year apprentice student not to exceed 1,900 students. Sets forth the distribution formula for the $4,576,000 appropriation for state aid to local public libraries. Provides that the appropriation of $1,000,000 for grants for paperback libraries shall be used for grants to school districts for the acquisition of high interest paperback librarires housed in reading rooms, reading centers in school libraries, or classroom collections to stimulate and sustain student interest in reading and to encourage children to use and expand reading skills. Paperback libraries shall be considered a service under the "Auxiliary Services Act." Sets forth the formula for distributing the funds and the responsibilities of the receiving school districts. Sets forth the intent of the Legislature that state funds from "the State School Aid Act" be utilized in addition to any other state or federal funds in order that state reimbursement shall not be prorated for special education for severely mentally impaired students who are placed at the direction of a state agency in community residence within an intermediate school district other than that in which his parents or legal guardians reside--effective for the fiscal year ending June 30, 1975 (enrolled Senate Bill No. 1133).

22-17 Appropriation for Preliminary Planning and Construction of Community and Junior College Building Projects (Public Act 231)
Appropriates $97,000 for preliminary planning of proposed community college building projects at the following community colleges: Gogebic, Kirtland, Montcalm, Schoolcraft and Wayne County. Appropriates $5,365,700 for construction of building projects at the following community colleges: Bay de Noc, Charles Stewart Mott, Jackson, Lake Michigan, Lansing, Mid-Michigan, Oakland, St. Clair, Washtenaw and Wayne County. Provides that state support is directed toward the remodeling or construction of community college buildings. Site acquisitions and initial main utility installation to operate facilities shall be the responsibility of the local district. Funding shall be comprised of local and state shares and the state share shall include 50 percent of any federal funds awarded for projects--effective for the fiscal year ending June 30, 1975 (enrolled Senate Bill No. 1136).

22-18 "Good Moral Character"--Requirement for Occupational or Professional License (Public Act 381) A new Public Act (Michigan Compiled Law Sections 338.41 to 338.47) to encourage and contribute to the rehabilitation of former offenders, to assist them in the assumption of the responsibilities of citizenship, and to prescribe the use of the term "good moral character" or similar terms as requirements for an occupational license. Defines "good moral character" as the ability of a license applicant to serve the public in the licensed area in a fair, honest, and open manner. Prohibits the denial of a license solely on the basis of prior misdemeanors or felony convictions, unless such conviction relates adversely to the applicant's ability to serve the public in the licensed area. If such basis is used to deny a license, permit, registration or certificate, notification must be given to the license applicant who shall be permitted to rebut the evidence by showing that he or she is rehabilitated or that the former offense was not related to the occupation or profession for which licensing is sought. Disallows the use of criminal records in connection with an application for a permit, registration, license, or certificate if:

(1) records of arrest are not followed by a valid conviction,
(2) convictions have been annulled or expunged,
(3) misdemeanor convictions did not involve moral turpitude, or
(4) conviction was for a misdemeanor for which a jail sentence cannot be imposed.

Requires that applicants found to be unqualified for a license because of a lack of good moral character, or similar criteria, be furnished with a statement to this effect which contains a complete record of the evidence upon which the determination was based. Requires, also, that an applicant be entitled to a rehearing on the issue if relevant evidence, not previously considered, is available. Allows license applicants to bring action in circuit court for review of the record, if unsatisfied by his administrative appeal to the licensing agency. Continues the authority of a licensing agency to discipline licensees under its jurisdiction for prohibited acts of professional misconduct or dishonesty--effective April 1, 1975 (enrolled House Bill No. 5905).

MISSISSIPPI (24)

Enacted Legislation--1975

24-1 Open Public Meetings (S.B. 2368) Required open meetings of public bodies; established procedure for declaring executive session; directs that times and places and procedures by which meetings are to be held be spread upon minutes of public body; effective January 1, 1976.

24-2 Establishment of New Community College District (S.B. 2375) Created Copiah-Lincoln Junior College District, providing for increase of Board membership from two to six from Adams County; Board, with consent of Junior College Commission, authorized to change the name of the district; provided for two campuses, Wesson and Natchez; amends Section 37-29-31, Mississippi Code of 1972, to delete Co-Lin District; in effect from passage.

24-4 Appropriation for Division of Junior Colleges (S.B. 2928) Division of Junior Colleges, for defraying administrative expenses for fiscal year 1976, $79,373. This is to maintain current positions (4) and services and is an increase of $5,737 (7.8 percent) over fiscal year 1975.

24-3 Campus Roadway Construction (S.B. 2732) Amended Section 65-1-37, authorizing State Highway Commission to construct and repair driveways and streets at public junior colleges; in effect from passage.

24-5 Appropriation (S.B. 2980) Junior College support, to aid the sixteen public junior colleges' educational programs in the amount of $20,235,000 as follows:

	FY 1976	Increase Over 1975	
A. Academic	$17,560,400	$3,283,400	(23%)
B. Vocational	2,000,000	1,000,000	(100%)
C. Evening and Part-time	675,000	450,000	(200%)
	$20,235,400	$4,733,400	(30.5%)

The State Board of Education was directed to designate a uniform procedure of accounting and reporting to include all revenues and expenditures regardless of source. Further, the legislative intent was to increase the average salary for full-time equivalent instructors to $11,514. (This average salary was projected as being possible with an appropriation of $21,547,000 as requested; note the actual appropriation was $1,312,000 less than requested). There was no capital outlay or facility appropriation for junior colleges.

24-6 Student Financial Aid (H.B. 552) Authorized payment of tuition to postsecondary education institutions for certain members of Mississippi National Guard; administered by Adjutant General; in effect July 1, 1975.

24-7 Bidding Procedures (H.B. 664) Amended Sections 31-7-39, 41, 43, to allow acceptance of alternate bids; to exempt certain supplies from adding requirements; to define emergency purchases; in effect from passage.

24-8 Board Meetings and Mileage Reimbursement (H.B. 679) Amended Section 37-29-65, to authorize increase in number of Junior College Board meetings from 12 to 15 per year; also authorized increase in mileage reimbursement from 10 cents to 12 cents per mile; in effect from passage.

24-9 Bond Interest Rate (H.B. 817) Amended Section 37-29-103, to increase maximum allowable interest rate from 6 percent until March 31, 1976; in effect from passage.

24-10 Student Financial Aid (H.B. 1001) Established a program of post-secondary education financial assistance for students in the form of loans; provided for three member Board (Junior College Commission to appoint one member); administered by staff of Board of Institution of Higher Learning;

in effect from passage. Did not get support appropriation.

MISSOURI (25)

Enacted Legislation-1974

25-1 Transfer of State-Level Community College Administration (S.B. 1) Transfers responsibility for state-level administration and supervision of public junior colleges from the Department of Education to the newly created Department of Higher Education.

25-2 Tax Exemptions (S.B. 333) Exempts household goods, clothing and articles of personal adornment from taxation. School districts including public junior college districts, to be reimbursed from General Revenue for monies lost.

25-3 Licensing Veterinary Technicians (H.B. 76) Amends previous law establishing and listing responsibilities of Missouri State Veterinary Medical Board to include licensing of Veterinary technicians. Veterinary technicians must be trained in either an 18 month residence course of study at an accredited school of animal science technology or through five years of on-the-job training.

25-4 Workmen's Compensation Required (H.B. 417) Mandates that the state and all political subdivisions provide workmen's compensation for all employees.

25-5 Employment of Community College Police Officers (H.B. 917) Authorizes trustees of any junior college district to appoint and employ college police officers. Training course consisting of a minimum of 320 hours for college police officers required.

25-6 Community College Appropriation (H.B. 1007) Appropriates $15,085,200 from General Revenue for distribution to 12 eligible public junior college districts for operations.

Proposed Legislation-1975

25-7 District Subdivisions (S.B. 49) Provides for subdividing all single metropolitan school districts into six subdistricts. Provides procedures for electing new school board members after redistricting has taken place so representation will remain equitable and each newly formed subdistrict will be represented.

25-8 State Aid Formula Changed (S.B. 102) Change aid formula from 50 percent of district operating ocsts on $400/24 semester hours completed (whichever is less) to $20/credit hour in 1976 and $24/credit hour in 1977 and then to 50 percent of state average operating costs. One credit hour in vocational/technical programs is to equal 1.2 credit hours.

25-9 Assessed Valuations (S.B. 190) Affects those junior college districts whose total assessed valuation is between 100 million and 500 million and less than one hundred million by increasing those total assessed valuation to between 250 million and 500 million and less than 250 million respectively.

25-10 Collective Bargaining (S.B. 222) Provides for determination of collective bargaining unit--allows Principals to join teacher unit or form own unit--allows negotiation in good faith over salaries, benefits, non-instuctional duties, working conditions, rules and regulations--provides for third party mediation in event of deadlock--does not allow strikes.

25-11 State Financing of Junior Colleges (H.B. 243) Extends state financing of junior college degrees for another ten years to 1985.

25-12 Collective Bargaining (H.B. 343) Provides for collective bargaining of all public employees except Deputy Sheriffs, Highway Patrol, National Guard. Details necessary procedures to be followed by both parties. Establishes Labor and Industrial Relation Commission to oversee collective bargaining activities authorized by this act. Outlines duties and responsibilities of commission.

25-13 Non-Teaching Employee Retirement Program (H.B. 352) Amends previous laws relating to certain non-teacher school employee retirement systems to permit non-teacher employees of public junior college districts to be a part of the non-teacher school retirement system.

25-14 High School Equivalency Certificates (H.B. 357) Provides for the issuance by the state board of education of high school equivalency certificates to state residents and servicemen located in the state who do not have high school diploma but who successfully complete an examination which tests applicant's knowledge of high school subjects.

25-15 Community School Programs (H.B. 358) Authorizes the Department of Elementary and Secondary Education to receive and distribute federal funds appropriated for the establishment, administration, and operation of community school programs.

25-16 State Aid Formula (H.B. 526) Change state aid formula from 50 percent of district operating costs on $400 per 24 semester hours (whichever is less) to 50 percent of state average operating costs for total semester hours completed to fourth week of term.

25-17 Constitutional Amendment to Change School Tax Levy (H.J.R. 8 and 20) to ask voters to approve a constitutional amendment relating to school tax levy so that taxation rate increases need only majority vote rather than two-thirds vote of taxpayers for approval.

NEVADA (28)

Enacted Legislation-1975

28-1 Supplemental Appropriations (S.B. 188) Appropriates an additional and supplemental amount of $200,000 to Western Nevada Community College to purchase library books.

28-2 Retirement Fund (S.B. 336) Amends previous legislation. Creates special police and fire retirement funds, increases contribution rates from 7.5 percent to 8 percent, permits employers to pay employees contribution, restricts employee rights to withdraw contributions, abolishes some benefits, increases beneficiary benefits.

28-3 Faculty Evaluation and Probation (S.B. 494) Amends previous legislation by adding provision for an annual evaluation of full-time employees by peers or administrators. Evaluation will include recommendation for improvement, dismissal action must be in writing and any reaction to it in writing in employee's file. Following a two-year probationary period dismissal shall be for just cause only.

28-4 Real Estate Broker Certification (S.B. 514) Amends previous legislation of Real Estate Brokers and Salesmen. Among other provisions upgrading real estate brokers, add the study of real estate law to subjects required of license applicants which subjects may be studied at any approved postsecondary education institution.

28-5 Salary Limitations (S.B. 606) Amends previous legislation affecting salary limitations by adding new section limiting all public salaries in the state to 95 percent of the salary of the Governor.

28-6 Appropriation (A.B. 803) Appropriates $6,687,260 to community colleges.

28-7 Proprietary School Regulations (A.B. 24) Regulates private educational institutions for the protection of the public by establishing minimum standards of educational quality, ethical business practices, health and safety, fiscal responsibility, protects against deceptive or fradulent institutions and practices. Creates a commission of postsecondary education institutional authorization, licensing procedures, regulating degrees, providing for civil remedies, providing for penalties, making an appropriation for 1975-77 biennium for the commission.

28-8 Employee Insurance (A.B. 227) Amends previous legislation relating to state employee group insurance premiums increasing amount employer may pay from $21.49 in fiscal year 1973-74 to $30 in fiscal year 1975-76 or from $23.64 in fiscal year 1974-75 to $32 for each fiscal year thereafter.

28-9 Budget Formula and Format Study (A.C.R. 9) Directs the legislative commission to study the budget formulas and budget format used for the University of Nevada System and to report results of study and make recommendations.

NEW JERSEY (30)

Enacted Legislation-1974

30-1 Salary of Employment Commission Members (S.B. 1087) Amends New Jersey Employer Relations Act by providing that compensation for Employment Commission members shall be computed for each six hour day and disallowing payment to any commissioner if he is involved in deliberations affecting his own employer or employee group. (Chapter 133 of 1974)

NEW YORK (32)

First Regular Session-1975

32-1 Capital Funds Establishes a variable capital chargeback rate for community colleges.

32-2 Appropriation (S.B. 1934) For SUNY Community Colleges fiscal year 1975-76 operations $136,900,000. State aid for any one institution may not exceed statutory limit unless aid for students in vocational programs would cause the statutory limitations to be exceeded.

32-5 Collective Bargaining Eliminates the legislative hearings as the mechanism for resolving impasses in the collective bargaining process.

32-4 Trustees Provides for the addition of a non-voting student member to community college boards of trustees.

32-3 State Level Administration (S.B. 2333) Provides for severance of the New York City Board of Higher Education sponsored community colleges from the programmatic and legal responsibility of SUNY.

NORTH CAROLINA (33)

Enacted Legislation-1973

33-1 Multi-County Community College Districts (Chapter 115-A, Section 2) Article 1 sets forth the general provisions for State Administration of Community Colleges and Section 115A-2 lists the definition pertinent to the Community College Act. A 1973 amendment added the following definition: (4) the term "regional 'institution' means an institution which serves four more counties which have been assigned as of July 1, 1973, to the institution by the Department of Community Colleges for purposes of conducting adult education classes."

33-2 Limitation on Capital Improvement Appropriations (Chapter 115-A, Section 18) A 1973 amendment deletes a $500,000 maximum limit on funds which would be granted by State Board of Education to any single community college for capital improvements.

Enacted Legislation-1974

33-4 Appropriation (S.B. 977) To make appropriations for current operations of all state departments, institutions, and agencies. Appropriates $108,934,818 to Department of Community Colleges divided as follows:

Department of Community Colleges	$96,468,246	-- not to be used to support adult education recreation extension courses
Department of Equipment	12,228,188	-- permanent funds
Vocational Textile School	238,384	

33-5 Capital Improvement Appropriations (S.B. 976) The capital improvement appropriation act of 1974 for all agencies of the state. Appropriates $10,665,000 for Community Colleges and Technical Institutes of which $10 million are state funds and $665 thousand are federal funds.

NORTH DAKOTA (34)

Proposed and Enacted Legislation-1975

34-1 Appropriation (S.B. 2005) July 1, 1975 to June 30, 1977 appropriations Bill $2,768,150 state aid to Junior Colleges enacted April 8, 1975.

34-2 Revenue Bonds (S.B. 2020) Amends previous legislation relating to issuance of revenue bonds by institutions under the control of Board of Higher Education, Junior Colleges and off-campus educational centers. Authorizes bond issues for capital expense, sets forth terms of sale of bonds. Allows a single bond issue for more than one capital expense project with bonds being payable from combined income of the buildings. Also authorizes junior colleges boards to issue capital bonds not to exceed $2.5 million payable from revenue of buildings or tuition.

34-3 State Aid Formula (S.B. 2022) Amends previous legislation relating to state aid for Junior College by allowing all credits earned in any course, (day, night summer, etc.) to be included in computation of full-time equivalent student upon which state aid is based.

34-4 State Aid Standards (S.B. 2023) Amends previous legislation relating to standards for state aid. Previous legislation stated that to be eligible for state aid community college had to be annually inspected by B.H.E. and B. of Vocational Education. This bill adds the provision that school districts maintaining community college shall submit annual budget proposals to state board of public school education for review.

34-5 Enrollment Certification (S.B. 2024) Amends previous legislation relating to method of payment of state aid and verification of students attending by moving responsibility for certifying enrollment from Board of Higher Education to State Board for Public School Education.

34-6 Statewide Study of Postsecondary Education (H.C.R. 3073) A resolution directing the legislative council, with the assistance of the North Dakota Board of Higher Education to study the powers and duties of the Board of Higher Education, the development of each institution of Higher Education in the state, unnecessary resource duplication. The study will include feasibility and desirability of the merger of junior colleges into the state system and consolidation of all postsecondary education into the state system. It will also include study to determine best method of financing additional capital projects.

OKLAHOMA (36)

Enacted Legislation-1974

36-1 University Hospitals (Part I, Section 306 through 306.4) University of Oklahoma Medical Center consisting of University Hospital and Children's Hospital is discontinued as the hospitals are removed from control of the University of Oklahoma Regents and transferred to other agencies. Oklahoma City Health Sciences Center is formed. Planning Committee for new center formed consisting on nine members representing various public agencies including the State Regents for Higher Education and the University of Oklahoma Regents.

36-2 Law Enforcement Training Center (Part I, Section 311) Designates University of Oklahoma's Southwest Center for Law Enforcement Education as the official training center for all Oklahoma policemen. Provides for reimbursement for expenses incurred in conjunction with training reviewed under these provisions. Creates a Council on Law Enforcement and Training consisiting of representatives of various police associations and the Director of the Center. The Council is authorized to: promulgate minimum courses of study, standards for faculty; authorize research and courses in Law Enforcement Education; establish policies regulating members of officers granted financial aid from the Center. Requires all police given permanent appointments to undergo M.M.P.I. and complete basic police course at center. Allows these requirements to be fulfilled by other law enforcement agencies approved by the council.

36-3 Regents Facilities (Part I, Section 509) Amends previous legislation provides that Board of Regents of Oklahoma State Colleges shall be housed rent free by the State Board of Public Affairs until permanent quarters are provided.

36-4 Facilities Sharing (Part I, Section 1001) Amends previous legislation. Authorizes other state agencies to enter into cooperative agreements with Regents of colleges and universities of primary benefit to the colleges to use facilities and service financed by bonds issued by the college or university as authorized by this section of legislation. Also, provides that it is the intent of the legislature that no additional bond issues shall be used for capital construction or improvement with exception of repairs to power plant of Oklahoma Health Sciences Center.

36-5 Boards of Trustees Vacancies (Part I, Section 1404) Amends previous legislation by providing a procedure for filling vacancies occurring on any community junior college Board of Trustees and providing that if the Board does not fill a vacancy within 70 days then the county is mandated to hold an election to fill the vacancy.

36-6 Name Change (Part I, Section 1417, 1418, 1419, 1420) Amends previous legislation by providing that name of Althus Junior College be changed to Western Oklahoma State College; restricts memberships on its Board of Regents from any one county to four and stipulates that its legal status is not affected by the name change.

36-7 Establishment of Tulsa Community College (Part I, Section 1421) Provides for the establishment of Tulsa Community College Area School District and Board of Regents; stipulates authority of Board over operating and capital funds; imposes two million limit annually for operating funds, 2 percent indebtness limit of net valuation of taxable property for capital construction.

36-8 Travel Allowance (Higher Education Code, Part III, Section 29, 33, 34) Amends previous legislation. Provides an increase from 9 cents to 12 cents per mile reimbursement for authorized use of private car; overnight lodging expense raised from $6 to $9 (in state) and $8 to $22 (out of state) and repeals complicated procedure for computing reimbursement.

36-9 Retirement Benefits (Part III, Section 92, 94, 95) Amends previous legislation. Raises maximum salary on which member of Teacher's Retirement System may have retirement benefits calculated from $7,800 to $8,900 and allows member whose salary exceeds $7,800 to elect $7,800 as base rather than new figure of $8,900. Provides procedure for new entry into public supported educational system (example--kindergarten teacher) to join retirement system by making up back contributions. Removes a limit of 50 percent placed on the percentage of Retirement System funds which could be invested in corporate bonds but stipulates that any bonds purchased shall be within the highest three classifications established by a state comptroller recognized rating service.

36-10 Optometry Program (Part III, Section 199) Establishes Oklahoma Optometry Education Assistance Contract Program for purpose of providing opportunities for students to study optometry outside the state by authorizing Regents for Higher Education to negotiate contracts for education of these students.

36-11 Veterans Benefits (Part III, Section 200) Provides free tuition for former POWs and MIAs and for dependents of present POWs and MIAs even if their fathers return after dependents begin college under this program.

36-12 Special Agency Account Board (Part III, Section 201) Provides for Special Agency Account Board to control establishment of Special Accounts to handle special funds of state agency such as student loan funds and revenues produced by activities ancillary to the operation of a state agency.

36-13 Regents Facilities (Part I, Article II, Section 205) Amends previous legislation. Provides for rent free quarters for State Regents for Higher Education at the Bureau of Public Affairs until permanent quarters are furnished.

36-14 Name Change (Part III, Section 202 through 211) Provides that all Oklahoma State colleges will have names changed to State universities and declares that legal status of these institutions is not affected by these name changes.

36-15 Regionalization (Part III, Section 212) Provides that Ardmore Region of Oklahoma is to have its postsecondary educational needs met by existing resources of the State University and provides an appropriation of $100,000 for the first year's operation ending June 30, 1975 of this program.

36-16 Study of Employee Benefits (Part III, Section 213, 214) Authorizes Regents for Higher Education to make study of employee benefits program. Provides that the State Regents for Higher Education shall provide policy direction for the establishment and maintenance of uniform and equitable benefits to comparable personnel of all institutions of the system, and also authorizes same Regents to study employee salaries and to set workload and salary standards.

36-17 Economic Education Act (Part III, Section 215) Authorizes State Department of Education to administer the Economic Education Act support for which shall be provided by state colleges and universities by establishing Economic Education Ceters to assist common schools with curriculum planning in-service training and development of instructional materials. Department of Education is to consult with Oklahoma Council on Economic Education.

36-18 State Publication (Part III, Section 217 through 220) Provides that all state publications published at a cost of $100 or more shall be limited in distribution and shall have printed in them: the name of the issuing agency, authorization for publication, cost of publication, number of copies and name of printing firm. Exempts public relations publication of Department of Tourism.

36-19 Non-Collusion Statement in Bids (Part III, Section 221, 222, 223) Provides that all competitive bids submitted to the state shall have affidavit of non-collusion attached; contracts awarded and invoices submitted shall have affidavit of non-kickback attached. Exclusion: Monthly Public Utility billings.

36-20 Competitive Bidding (Part III, Section 225 through 258) Public Competitive Bidding Act of 1974. Provides that all public construction contracts exceeding $2,500 shall be awarded to lowest bidder established procedures for publicizing proposals to amend contracts; information to be contained in bid notices, bid documents to be made available to prospective bidders, etc. covering every conceivable aspect of bidding and awarding contracts and completion of contracted projects.

36-21 Purchase of Surety Contracts (Part III, Section 259 through 263) Authorizes State Board of Public Affairs to purchase surety contracts to cover elective and appointed state officers and employees as classified by chief officer of agency or institution.

36-22 Establishment of New Community Colleges (Part I, Section 1422) Authorizes the Oklahoma State Regents for Higher Education to establish five new community colleges to become integral parts of the Oklahoma State System of Higher Education; provides for the establishment of a separate Board of Regents for each of the colleges stipulating that the Boards' powers and duties shall be the same as those of Tulsa Junior College Board; also provides that any existing Junior College now receiving state funds shall have until July 1, 1977 to elect becoming a member of the State System.

OREGON (37)

Enacted Legislation-1975

37-1 Appropriaton Act (S.B. 5516) Increases state aid reimbursement rate to community colleges for operating expenditures. Appropriates $69,177,430 from General Fund to Department of Education for distribution as designated to community colleges for a biennium. Increases state aid reimbursement rate to community colleges for construction projects. Appropriates $6 million from General Fund to Department of Education for state's share of community college construction projects as designated. Authorizes State Board of Higher Education to sell bonds in an amount equal to $6 million for reimbursement of community college construction projects. Limits expenditures for capital construction of certain projects to $5,025,232. Establishes, as state policy, obligation to assume 65 percent of approved community college construction costs. Prohibits use of funds for housing or spectator facilities for athletics. Requires State Board of Education to submit projected facility needs for community college district each biennium. Makes related changes. Appropriates $4,016,785 out of General Fund for community college projects during biennium beginning July 1, 1973.

PENNSYLVANIA (38)

Proposed Legislation-1974

38-1 Capital Funds (S.B. 596) Provides $3,500,000 for fiscal year 1973-1974.

38-2 Appropriation (S.B. 957) (Appropriation amount not provided).

38-3 Financial Procedures (S.B. 977) Requires community college to furnish certain information to legislative appropriation committee.

38-4 Local Administration (S.B. 1118) Provides for campus police force.

38-5 Trustees (S.B. 1142) Provides for number of Trustees.

38-6 Financial Procedures (S.B. 1672) Provides for capital budget and payment of capital expenses.

38-7 Financial Procedures (S.B. 1668) Provides for operating budget and payment of operating expenses.

38-8 Capital Funds (S.B. 1692) For community college and technical institutes--$356,000.

38-9 State Aid (S.B. 1724) Provides for payments by state for new community college.

38-10 State Aid (H.B. 2356) Changes state aid from one-third of $1,200 per full-time equivalent to one-third of $1,500 per full-time equivalent.

38-11 State Aid (S.B. 1744) Provides for payments by state and school districts for out-of-district students.

38-12 Trustees (H.B. 52) Requires open meetings of community college Trustees.

Proposed Legislation-1975

38-13 Capital Funds (H.B. 202) Provides that state will pay 90 percent of capital costs after passage of act.

38-14 State Aid (H.B. 203) Provides for payments based on one-third share of operating costs up to $1,200, and payments of all costs above $1,200, with no differential for vocational or terminal programs.

38-15 Tuition (H.B. 696) Chargeback--limits tuition paid by out-of-district students to resident tuition and requires county of residence to pay additional costs.

SOUTH CAROLINA (40)

Enacted Legislation-1974

40-1 Medical School Authorizes new medical school and appropriates $391,000 for first year's operation. Building made available by

Veterans Administration which also provided $19.8 million for first seven years operation as provided for in federal legislation.

40-2 Institutional Administration Removes limitation on number of males authorized to attend Winthrop College making it permanently co-educational.

40-3 Medical Scholarships Provides up to $6,200/year for four years for medical students agreeing to practice in rural areas.

40-4 In-State Tuition Reduces residency requirement from 12 months for all to less than 12 months for persons employed and their dependents.

40-5 Appropriation, 1974-75 State Supported Colleges and Universities: $135 million, an increase of 20.5 million. State Board for Technical and Comprehensive Education, $25.9 million.

40-6 Capital Funds $11.3 million for construction at Lander College and at University of South Carolina.

Proposed Legislation-1975

40-7 Community Education Provides for the establishment of a statewide community education program.

TENNESSEE (42)

Enacted Legislation-1973

42-1 Appropriation $11,645,000 total community college appropriation. Also provides for $200,000 Enrollment Fluctuation Reserve and $100,000 special appropriation for Higher Education Commission to plan and develop a community college program in Chattanooga.

42-2 Name and Function Change (S.B. 361) Change Chattanooga State Technical Institute (C.S.T.I.) to Chattanooga State Community College--change administration of C.S.T.I. from state board of education to board of regents. Change function of C.S.T.I. from purely technical education to functions of comprehensive community college. The Bill also states the intention of the General Assembly is that there be a coordinated program of postsecondary education in the Chattanooga region avoiding unnecessary duplication but does not specify mechanism for this.

42-3 Purchase of Liability Insurance (S.B. 570) Allows any state agency including institutions of higher education to purchase liability insurance to cover claims of employees and citizens subject to approval by Attorney General and Commissioner of Finance.

42-4 Land Sales (S.B. 580) Authorizes all colleges and universities with exception of University of Tennessee System to sell any land acquired by any means provided the land is unsuitable for use or not needed by the institution, approved by state building commission and appraised by two appraisers. The receipts from the land sales are to be deposited in the institution's capital outlay fund.

42-5 Name Change Change name of Chattanooga State Community College to Chattanooga State Technical Community College.

42-6 Extracurricular Function and Facilities for Part-Time Students (S.B. 1058) All extracurricular functions and facilities shall be available to stuents enrolled for at least six credits upon payment of regular activity fee as required of full-time students and will be issued identification if such is required for admission to such functions and facilities.

Enacted Legislation-1974

42-7 Appropriation Total of $15,090,000 appropriated to community colleges. Specifies that Commissioner for Finance and Administration shall specify procedures and content of work programs and operating budgets to be submitted to Commission on Higher Education for comment before being forwarded to Department of Finance and Administration. Also reserve of $200,000 Enrollment Fluctuation to cover added costs incurred by enrollment increases beyond those projected for approved operating funds. Also provides for withholding of funds in case of enrollment decreases.

42-8 Bond Authorization (S.B. 424) Issue $20 million in interest-bearing bonds for financing acquisition, erection, construction and equipment to sites and buildings including existing structures. Total to be divided: $14 million to University of Tennessee, $6 million to Regents institution.

42-9 Free Tuition for Senior Citizens (S.B. 1445) Persons 60 years of age or older and residents of State may audit courses at state supported colleges and universities free of tuition on a space available basis excluding medical schools.

42-10 Removal of Discriminatory Admission Qualifications (S.B. 1645) Removes all specific references to qualification for admission to institutions of the state university and community college system based on age, race and educational attainments.

42-11 Residency Requirements (S.B. 1646) Authorizes State Board of Education for state's technical institute and Board of Regents for state technical community colleges to establish residency regions for purpose of determining whether or not out-of-state tuition shall be charged.

42-12 Directional Signs (H.B. 1853) Allows Department of Transportation to put up directional signs on Interstate highways for all postsecondary education institutions located within ten miles of the highway. One sign per institution.

42-13 American History Requirement (H.B. 1877) No student shall be granted a baccalaureate degree from state supported institution of higher learning or community colleges unless six semester hours of credit are earned in American history. Allows for substitution at student's option of three semester hours of Tennessee history for three semester hours of American history.

42-14 Participation in S.R.E.B. Common Market (H.B. 1583) Authorizes Higher Education Commission to enter into an agreement of state participation in S.R.E.B.'s Academic Common Market, to waive non-resident tuition fees for residents of other states enrolled in S.R.E.B. programs and to establish other administrative procedures as annual lists of S.R.E.B. programs available to Tennessee residents.

42-15 Name Authorization (H.J.R. 381) To name the community college to be established in the 20th State Senatorial District the "Jerry Ague Community College" in honor of late State Senator Jerry Ague.

TEXAS (43)

Enacted Legislation-1973

43-1 Appropriation Texas public junior colleges--state aid appropriates specific amounts for each college plus a contingency amount for a grant total of: 1974--$35,260,645 1975--$38,339,264

43-2 Name Change (S.B. 218) Authorizes junior college districts to change names by substituting the word "community" in lieu of the word "junior."

43-4 Disadvantaged Students (S.B. 356) Provides for increases in educational opportunities for disadvantaged students, establishes criteria for these programs.

43-5 Purposes of Community Colleges (S.B. 358) Sets forth purposes of public community colleges to be to provide:
(1) Technical programs
(2) Vocational programs
(3) Arts and Science transfer programs
(4) Continuing adult education programs
(5) Compensatory education
(6) Counseling and guidance

Enacted Legislation-1975

43-6 Appropriation Texas Public Junior Colleges--State Aid appropriates specific amounts to each college plus a contingency appropriation for a grand total of:

1976	1977	
$82,092,438	$97,591,450	for General Academic Programs
61,949,741	72,173,234	for Vocational/Technical Education Programs

43-7 Reciprocal Tuition (S.B. 360) Authorizes reciprocal tuition areements for certain students who are residents of states adjacent to Texas counties in which there are public junior colleges. Reciprocal tuition agreements are authorized for such students who register at Texas public junior colleges located in a county adjacent to the student's state of residence or who register at an upper-level institution located within the junior college district from which such nonresident has graduated or completed 45 semester credit hours.

43-8 Adult Education (S.B. 366) Amends previous legislation relating to the management and development of a comprehensive statewide adult education program by providing for the inclusion of community education programs among those for which mechanisms and guidelines for their coordination with other agencies are to be developed. Also provides for the establishment of pilot programs to demonstrate the effectiveness of the community education concept using not more than 5 percent of funds allocated for adult education.

43-9 Required Approval for Expansion (H.B. 2061) Requires junior college districts to receive prior and continuing approval of the coordinating Board to establish branch campuses centers, extension facilities and to offer courses and programs outside the geographic boundaries of their districts.

43-10 Advisory Council for Vocational-Technical Education (S.B. 267) Amends Technical-Vocational Act to comply with new federal statutes. Increases membership of the Advisory Council for Technical-Vocational Education from 21 to 24. The three new members shall include a present or recent vocational education student, a representative of Texas proprietary vocational-technical schools and a representative of the State Employment Service with special qualifications in career development and job placement.

43-11 Legal Basis (S.J.R. 11) Proposes eight amendments to the Texas Constitution, which shall be presented to the people for vote at an election set for November 4, 1975. The amendments include three related to junior college:

(1) Providing for junior college districts
(2) Providing for junior college district taxing authority
(3) Providing for junior college district bond issuing authority

43-12 Supplemental Appropriation (H.B. 216) Appropriates fiscal 1975 supplemental contingency funds of $12 million to the Texas Education Agency and $6 million to the Coordinating Board for allocation to public junior colleges for vocational-technical and academic programs, respectively. (Effective February 25, 1975)

43-13 Student Grants (H.B. 688) Authorizes two new state student grant programs to be administered by the Coordinating Board--the Texas assistance Grants Program and the Texas Public Educational Grants Program. Funds for the Texas Assistance Grants must be appropriated by the Legislature and none were appropriated for the 1975-77 biennium. Under program provisions, needy students enrolled in approved postsecondary public and private institutions could qualify for grants up to a maximum of $1,000 during one fiscal year. Provisions of the Texas Public Education Grants Program authorize institutions to set aside 25 cents from each hourly tuition charge and 6 percent of hourly tuition charges for vocational-technical programs at public community junior colleges. Funds so set aside may be used by each institution for student grants or may be transferred to the Coordinating Board for matching federal or other grant funds for awarding grants to students at the institution. Requires Coordinating Board review of institutional guidelines for awarding student grants. Repeals certain tuition and fee exemption programs: Subsec. (m), Sec. 54.051 (25 cent fund); Subchapt. C, Chapter 54 (Tuition Scholarships and Nursing Tuition Scholarships at Texas Woman's University, UT System School of Nursing, Prairie View A&M).

43-14 Coordination of Postsecondary Education (S.B. 706) Provides for the coordination of postsecondary education and delegates certain duties to the Coordinating Board.

(1) Directs the Board to make recommendations to Legislature in regard to enrollment maximums at each institution of higher education and for any department, school, degree or certificate program.
(2) Authorizes the Coordinating Board and the State Board of Vocational Education to contract with each other so that the Coordinating Board may assume leadership role for state level administration of technical-vocational programs in postsecondary institutions.
(3) Prohibits expansion of subject matter courses in Board approved departments, schools, degree and certificate programs without specific Board approval.
(4) Requires Board approval of all off-campus credit courses offered by any public college or university.
(5) Authorizes the Board to establish regulation for coordination of credit and noncredit activities of adult and continuing education by public colleges and universities.
(6) Requires Board approval of all major new construction and repair and rehabilitation at institutions of higher education regardless of funding source (projects funded from local ad valorem taxes of junior colleges are exempt) or proposed use, unless projects have specific prior approval of the Legislature.
(7) Directs the Board to ascertain that standards and specifications for new construction, repair and rehabilitation of buildings and facilities are in accordance with statutory standards for handicapped.

43-15 Tuition Increase (H.B. 785) Increases tuition for foreign students from $14 to $40 per semester credit hour, the rate paid by other nonresident students. Foreign students enrolled prior to the law's enactment are exempt from the increase. Foreign students holding competitive scholarships of at least $200 for an academic year or summer are entitled to pay resident tuition fees. The Coordinating Board is directed to adopt rules and policies whereby governing boards may set lower tuition fees for certain foreign students--those in financial need and those from countries charging reciprocal tuition rates, in accordance with minimum fees established in the statute.

43-16 Credit for Clinical Experience in Nursing (H.B. 1841) Requires governing boards of state-supported institutions of higher education offering nursing education programs to plan and incorporate standards and sequential procedures to recognize and grant credit for actual educational and clinical nursing experiences which are equivalent to regular course content. Institutions may require students to pass examinations demonstrating competence based on such experiences.

UTAH (44)

Enacted Legislation-1974

44-1 Name Change (S.B. 39) Changes name of State Board of Higher Education to State Board of Regents.

44-2 Appropriation Act (H.B. 373) Directs Board of Regents to study, formulate and adopt an equitable statewide policy governing tuition and fees; no tuition increases are to be made until study is completed and then only a maximum increase of $8 per quarter is allowed for fiscal year 1975-76. Provides specific amount to help build salary equity of salaried employees. Appropriates funds to each institution in the statewide system totaling $13,917,300.

VIRGINIA (46)

Enacted Legislation-1974

46-1 Coordination (S.B.121) Strengthens State Council of Higher Education by providing for additonal duties including:

(1) Development of Master Plan
(2) Power to approve/disapprove changes in statement of mission of public postsecondary education institutions
(3) Recommend changes in degree granting level of public postsecondary education institutions
(4) Approve/disapprove enrollment projections
(5) Discontinuance of non-productive curricula
(6) Develop statewide M.I.S.

46-2 Freedom of Information Act (No additional information provided)

Enacted Legislation-1975

46-3 Appropriation (Chapter 681)

1975 -- $47,532,135
1976 -- $58,718,345

WASHINGTON (47)

Enacted Legislation-1973

47-1 Community College Board (Chapter 62) Updates initial legislation creating the board by changing certain terminology.

47-2 Collective Bargaining (S.B. 2153) Amends Community College Professional Negotiations Act to include a broadened definition of administration any person employed 50 percent of time with authority to hire, dismiss or discipline any employee.

47-3 Retirement Benefits (S.B. 2119) Includes community college faculty in state retirement plan and changes basis for determining retirement income from 50 percent average annual salary for last ten years of employment to 50 percent of average of highest two consecutive years. Also provides $1,611,650 for carrying out these provisions.

Enacted Legislation-1974

47-4 Bond Authorization (S.B. 3355) Authorizes issuance of general bonds for purpose of refunding outstanding tuition fee bonds held by individual colleges. Provides that the portion of general tuition fees not required or in excess of amounts necessary to pay any of the tuition fee bonds be deposited in community college capital projects amount.

47-5 Appropriation

State Board for Community Colleges	$ 2,042,714
Bond Sale Expenses	44,800
For Distribution to Community Colleges with Provisions for:	135,400,216
Development of MIS System	150,000
Disadvantaged Students	900,000
Olympia Vocational/Technical Institute shall not become Comprehensive	
Community Involvement Programs shall be Continued	

For Expenses Related to Students Enrolled to complete High School Diploma for whom fees were waived	$1,430,130
For Veterans Programs	200,000
For 2 percent Faculty Salary Increase	2,173,112
For Salary Increases to Part-time Faculty	3,456,000

WISCONSIN (49)

Enacted Legislation-1975

49-1 Appropriation: Vocational, Technical, Adult Education

1973-74	1974-75
$33,939,600	$40,827,500

49-2 Vocational-Adult Education (Section 283.38.01 [10]) Amends definition of "vocational-adult program" to include approval by State Director of Vocational, Technical and Adult Education under procedures established by the VTAE Board.

49-3 Certification Expenses (Section 284.38.04 [4] [a]) An amendment providing for the VTAE board to charge districts for full costs associated with certification of educational personnel. Such certification expenses shall not be included in the district aidable cost.

49-4 Uniform Reporting Systems (Section 284.38.04 [11]) Amends previous legislation by allowing the VTAE board to withhold or suspend in whole or in part, payment of state and federal aid to any district board which fails to report data within time deadlines and in required format. Moves up reporting deadline from October 1 to July 1.

49-5 Tax Levy (Section 286.38.16 [17] Changes date after which district boards may levy taxes from "last working day in October" to "October 31, or within 10 days after receipt of equalized valuations from the Department of Revenue, whichever is later." Sets maximum levy at 1.5 mills.

49-6 Program Fees (Section 288.38.24 [1]) Establishes uniform tuition fees for students served by VTAE districts. Liberal Arts transfer and vocational-adult program fees are to be based on 25 percent of statewide average operating costs. Postsecondary (vocational-technical) program fees shall average not less than 7 percent estimated operational costs per full-time equivalent. Allows different fees for different courses provided fees charged are uniform between districts. Fees for programs for inmates shall be not more than 7 percent of actual operating costs incurred by the district.

49-7 Definition (Section 290.38.28 [lm]) "District aidable cost" anticipated fiscal year costs of operating all programs exclusive of auxiliary services, self-supported activities and expenditures funded by federal revenues.

"Equalization Index"

$$\frac{\text{Current Statewide Valuation}}{\text{District Total Expected FTE Student Count}} \div \frac{\text{Current District Valuation}}{\text{District Total Expected FTE Student Loan}}$$

49-8 Operational Costs (Section 292.38.28) Repeals allowance of each district to include 11 percent of instructional costs as administrative costs in computation of operational costs.

49-9 State Aid (Section 293.38.28 [2] [b]) Reduces multiplier used in determining state aid from 55 percent to 35 percent.

49-10 Driver Training (Section 294.38.28 [2] [c]) Increases from 25 to 40 cents per student period of 50 minutes the amount paid by board for approved driver training programs.

49-11 (Section 294.38.38 [2] [d]) Allows VTAE board to withhold or suspend state aid from programs whose faculty do not meet minimum standards. Requires board to discontinue aid to programs no longer necessary to meet needs within the states.

49-12 Sharing of State Agency Resources (Chapter 38, Section 20.901) An act promoting interchange of information and services among state agencies and in particular the Board of Regents of University of Wisconsin and board of Vocational, Technical and Adult Education shall establish procedures for joint use of facilities, joint staffing of programs, and other resource sharing arrangements.

WYOMING (50)

Enacted Legislation-1975

50-1 State Employees Retirement Bill (H.B. 191) Amends previous legislation by providing for the following major changes:

- --The ceiling was increased from $10,000 to $12,600 effective January, 1975
- --A 20 percent increase in retirement benefits was approved for all retirees or those that will retire under the present system, effective July 1, 1975
- --A new formula will be implemented, effective July 1, 1975, which is based on an employee's highest average salary for three years x 2 percent x years of service
- --Employee and employer contributions will be increased to 5.5 percent, effective January 1, 1977

50-2 Authorizing Community College Districts Emergency Expenditures in Excess of Established Budget (Amendment to Municipal Budget Act) (H.B. 345) Community College districts are authorized to exceed established budget levels for emergency purposes with the approval of the Community College Commission and concurrance of the Governor.

50-3 Appropriations Bill (H.B. 507) A total of $16,204,548 was appropriated for the community colleges. A total of $146,798 was appropriated for the operation of the Community College Commission. The Appropriations Bill was amended in the Senate and provides that the State of Wyoming shall contribute an amount necessary to pay $25 per month for each employee and official enrolled in the state insurance plans. Any state agency, department or institution, which includes community colleges, shall pay to the board the sum of $25 per month for each eligible employee or official electing to become covered by the health insurance life insurance or other insurance plan as the contribution of the State of Wyoming to the health insurance, life insurance or other state sponsored insurance plan during the period the employee or official is enrolled in the plan. If the premium for coverage of the employee or official above is less than $25, the balance shall be applied to the premium for coverage of dependents if so elected. There was no specific appropriation to any state agency or institution for the payment of the increased insurance benefits. It was assumed that each agency's budget for benefits was adequate to meet the increased costs. If adjustments are necessary, they may be made in January, 1976.

50-4 Unsold Bonds of Community College Districts (S.F. 3) Repealed the requirement for community college districts to issue bonds within two years.

50-5 Joint Powers Act (S.F. 14) This act was amended to include community college districts; specifically, without limiting but subject to the provisions of this section, two or more agencies may jointly plan, create, finance and operate: a) water, sewerage or solid waste facilities; b) recreational facilities; c) police protection agency facilities; d) fire protection agency facilities; e) transportation systems facilities; and f) public school facilities.

50-6 Retirement Benefits (H.B. 191) For purposes of computing retirement benefits changes definition of "salary" from "total cash remuneration not exceeding $9,100" to "Gross Salary not exceeding $10,000." Increases retirement allowances by 20 percent.

50-7 Expenditures in Excess of Budget (H.B. 345) Amends municiple budget act providing community colleges are not deemed to have spend funds in excess of the budget if expenditures are within income.

PUERTO RICO (52)

Enacted Legislation-1973

52-1 Conversion of Regional College (Joint Resolution 359) R.C. del S. 359 (Joint Resolution), April 11, 1973. To convert the Humacao Regional College into a four-year college and appropriate $1,500,000 for such purpose. The memorandum submitted to the Legislature by Dr. Sulsona is also included.

52-2 Appropriation for Establishment of a College (Resolution 2) Resolucion Num. 2 - Carolina Municipal Assembly. To appropriate $300,000 to match an equal amount appropriated by the Legislature for the establishment of the Carolina Regional College.

Enacted Legislation-1974

52-3 Use of Operating Funds for Construction (R.C. del S. 1723) R.C. del S. 1723, March 18, 1974. Amends R.C. del S. 359 to permit the use for construction of the funds appropriated for the Humacao Regional College and ordering the Council on Higher Education to include in the regular budget the needed funds for its yearly operational expenses.

52-4 Board of Technical Education (P. del S. 948) P. del S. 948, April 4, 1974. This project was not converted into law. It created a new board for technical and highly skilled occupations education and stripped tbe Department of Education and the University of Puerto Rico of all facilities and jurisdiction on this type of education.

52-5 State Board for Vocational and Technical Education (Law 24 of 1974) Law 24, enacted on August 9, 1974. It reorganizes the State Board for Vocational and Technical Education increasing the members of the Board, including the President of the University as a member and giving the Board complete authority on technical education, except that the University programs are left untouched.

Enacted Legislation-1975

52-6 Appropriation

For Regional Colleges:

Administration	$15,813,422	--- See Pages 6, 7 and 8 of bill for detail
Academic Programs	$14,727,939	

APPENDIX B

INDEX

The first number of each entry is that of the State; the second is that of the item within each State. For example, "20-6" indicates the sixth item listed under Maryland.

All Postsecondary Education

Student Aid 3-7, 24-10, 43-13, 15-6, 15-9, 22-32, 22-5, 13-5

Private Postsecondary Education

Student Aid 7-43

Institutional Aid 22-8

Public Postsecondary Education

Accreditation and Certification 28-7, 28-4, 22-35, 16-5, 15-6-23, 6-26

Capital Funds 7-28, 24-9, 9-14, 6-17, 6-24

Collective Bargaining 22-1, 25-10, 7-42, 9-6, 32-5

Curriculum 6-3, 11-8, 11-7, 36-17, 36-4, 36-2, 42-13, 43-16, 43-4, 13-27, 6-18, 6-20

Financial Procedures 28-5, 22-34, 22-3, 7-44, 7-3, 36-12, 4-2, 42-4, 53-4, 13-22, 6-8, 6-10, 6-27

Local Administration 16-6, 7-39, 7-37, 7-36, 7-33, 7-32, 7-7, 7-5, 7-2, 7-1, 24-7, 24-1, 13-10, 13-18, 13-19, 13-21

Appropriations 28-6, 7-27, 24-5, 24-4, 49-1, 6-5, 11-13, 34-1, 33-4, 52-1, 53-3, 42-7, 42-1, 43-12, 43-6, 43-1, 44-2, 47-5, 37-1, 4-9, 4-8, 50-3, 13-23, 13-28, 13-30, 13-31, 6-28, 32-2

Personnel Benefits 28-8, 28-2, 25-4, 22-9, 7-45, 7-17, 50-1, 50-9-3, 9-1, 36-9, 6-13

Personnel Rights 28-3, 6-16

Surveys and Studies 28-9, 7-12, 7-4, 34-6, 36-16, 11-6

Statewide Administration 3-1, 30- , 25-1, 22-31, 22-30, 7-41, 7-40, 7-14, 7-6, 9-15, 9-13, 9-5, 36-21, 36-20, 36-19, 36-18, 36-13, 36-14, 36-8, 36-3, 36-1, 49-2, 13-11, 13-32, 13-33

Statewide Coordination 15- , 6-4, 7-30, 7-24, 7-22, 7-16, 7-8, 7-11, 7-10, 6-6, 9-4, 36-15, 36-10, 42-14, 43-14, 13-17, 6-21

Student Aid 3-7, 11-9, 22-2, 7-9

Students 25-12, 22-38, 22-33, 7-34, 7-31, 7-18, 42-10, 42-6

Tuition 22-7, 7-38, 7-26, 7-25, 7-23, 7-15, 24-6, 6-4, 9-11, 9-10, 9-7, 11-10, 36-11, 42-9, 43-15, 4-6

Community and Junior Colleges

Appropriations 3-11, 25-6, 22-36, 13-4, 7-19

Basic Legislation 7-29, 43-11, 43-5, 4-1

Capital Funds 3-6, 22-37, 13-6, 7-21, 7-20, 50-1, 34-2, 33-3, 42-8, 47-4, 50-4, 13-29, 6-12, 6-11, 6-25, 32-1

Collective Bargaining 3-5, 25-9, 47-2

Certification and Accreditation 25-3, 16-10, 11-2, 49-11

Financial Procedures 13-1, 3-8, 15-13, 15-14, 15-15, 15-16, 15-7, 28-1, 25-14, 25-10, 25-8, 25-2, 22-4, 16-7, 16-2, 13-3, 7-13, 50- 49-3, 6-1, 9-16, 9-12, 9-9, 9-8, 11-11, 11-4, 34-3, 33-2, 4-5, 4-4, 50-2, 49-10, 49-9, 49-8, 49-7, 49-5, 13-15, 13-16, 13-20

Institutional Expansion 11-1, 24-2, 11-3, 36- , 36-7, 52-2, 43-9, 4-7, 4-3, 13-8, 13-26

Local Administration 3-2, 15-2, 25-5, 22-6, 16-9, 50- , 24-8, 24-3, 6-2, 9-2, 9-1, 34-5, 34-4, 33-1, 52-6, 52-5, 42-12, 9-17, 11-5, 42-3, 47-1, 50-5

Personnel Benefits 3-3, 15-7, 25-11, 47-3

Personnel Rights 6-3

New Institutions 13-2, 43-2, 44-1, 36-6, 42-15, 42-5, 42-2

State Aid 25-8, 25-13, 6-22

Statewide Coordination 5- , 3-1, 3-4, 15-4, 15-11, 25-13, 7-35, 49- 49-4, 11-12, 43-10, 43-8, 13-9, 13-24, 13-25, 6-9, 6-15, 6-19, 32-3

Trustees 25-7, 16-8, 13-7, 36-5, 15-3, 13-12, 13-13, 13-14, 13-23, 6-14, 32-4

Tuition 15-6, 16-1, 49-6, 42-11, 43-7

APPENDIX C

SURVEY LETTER

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
101 RACKLEY BUILDING
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

March 31, 1975

Dear

In order to prepare and present back to members of the National Council of State Directors a report they have agreed to cooperate in developing, I need your cooperation. The report requested is a synthesis and commentary on state legislation which bears significantly on community and junior college operations and programs.

The cooperation needed to do this task involves initially these three rather simple actions at your end:

(1) Send me a packet of documentary material that describes state legislative interest and action in your state touching on community and junior colleges directly or indirectly; include in the packet, please:

- a) copies of laws enacted during the 1974-75 biennium
- b) copies of the sections of the appropriations acts relating to community and junior colleges enacted during the 1974-75 biennium
- c) copies of any state "master plans," commission reports, or documents of like nature that have an official or quasi-official status to provide guidelines for operation or policy direction to post-secondary education in your state
- d) copies of court decisions bearing on community and junior college matters in the last five years
- e) copies of attorney-general rulings on legal issues made in the last five years and bearing on community and junior colleges

(2) In your own words in a letter of reply to this one, indicate what in your judgment is:

a) the most significant actions, if any, taken by the legislature, courts, and attorney general about community and junior colleges in the last five years
b) the strongest feature of the legal basis for community and junior colleges in your state
c) the weakest feature in this legal basis

And, finally, (3) tell me, has the "1202 Commission" in your state implemented Title X, Part A--Establishment and Expansion of Community Colleges, Subpart 1--Statewide Plans, of the Federal Higher Education Amendments of 1972 which calls for statewide planning and establishment of "an advisory council in community colleges?" If yes, please elaborate as to (1) what the planning implementation has been and (2) the membership (positions represented, not names of people) and scope of functions expected of the "advisory council."

Many thanks, and hopefully, see you in Seattle.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM/dp

UNIVERSITY OF CALIF.
LOS ANGELES

APR 16 1976

CLEARINGHOUSE FOR
JUNIOR COLLEGES